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Looking Forward

THIS IS THE season when the sweet girl graduate and the future leaders of the land are let loose upon their long-suffering country. In great halls and small, up and down our highways, resound commencement speeches full of humor, advice, wisdom and the eternal platitude.

SAY THOSE OF our friends who have essayed this difficult task: "You see, the parents must be considered; and the faculties and ideals of the school; and also the students. It is pretty hard to say anything worth-while." In other words, in our advice to our youth at this season, genuine truth is usually conspicuous by its absence.

PERHAPS THIS IS as it should be. Life at forty is distinctly different from life at twenty. Just as life at sixty reveals truths which are not discernible to life at forty. Moreover, each man's experience in life necessarily differs from that of every other man. So that genuinely to pass on a formula for happiness and success would be not only to standardize all human life, but even to deny to succeeding generations the real experience of life itself. Naturally, there remain only the general rules for conduct.

AND YET, life is an individual experience. In each human being is a distinct personality, bound to be thwarted or expressed, used or misused. Education, properly understood, is a means to the proper and complete use of this personality. So how better can a man begin than with himself and his own individual honesty? Honesty of self-examination, of self-appraisal, and finally of word and deed?

DESPITE THE CRITICISM of much of our modern psychological approach to existence—*meaning ourselves—it* at least is basic, if not new. "Know thyself," said ancient Athens. And "Know thyself" is certainly a first necessity in this age of confusion and change, wherein staunchness of soul and inner self-reliance are the only assurances of a future security.

Francis Rufus Bellamy

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Ewing Galloway

NULLIFICATION ON FIFTH AVENUE

The speed limit in New York City for passenger automobiles is fifteen miles an hour, but the actual pace is twenty-five or thirty

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Outlook
and Independent
June 19, 1929

The Sanctity of the Law

By WAINWRIGHT EVANS

What is the truth about this doctrine of the sanctity of law as law, as recently emphasized by Presidential acts and utterances? Have all laws an equal claim to enforcement, simply because they remain on the statute books unrepealed? The questions that Mr. Evans raises in this article will bear some sober thought

THE newspapers are giving ample space these days to the forebodings of eminent and near-eminent persons who view with alarm our growing disrespect for law. Pulpits resound with warnings that we are a lawless race and are riding for a fall.

"There has been a habit of lawlessness in the United States from the earliest days," says William E. Dodd, professor of history, in the "Century" magazine, "a habit which has influenced immigrants on their arrival, which has warped the minds of the young, which has swayed officers of the law, and gravely threatens the existing social order."

Addressing the American Law Institute in Washington recently George W. Wickersham urged that the organization use its influence "in bringing the minds of the people back to a recognition of the essential foundations upon which our Nation was builded and upon which our form of Government must rest, which is respect for law as law."

"We are not suffering from an ephemeral crime wave," said President Hoover in an address before the Associated Press, "but from a subsidence of our foundations." And in his inaugural address the President made this much quoted pronouncement: "Our system of self-government will crumble, either if officials elect what laws they are to enforce, or citizens elect what laws they will support. The worst evil of disregard for some law is that it destroys respect for all law." To this Mr. Hoover added the not very original, and highly debatable statement that the surest way to insure the repeal of a bad law is to enforce it.

In the pronouncements of national leaders everywhere runs this same idea, stated as if it were an axiom, that the law of the land is sacrosanct, and that it possesses some mystical potency which makes every statute holy and inviolate, and which demands that every law be obeyed as law regardless of how idiotic, dishonest, or tyrannous it may be.

WHAT CHIEFLY MARKS most utterances of these distinguished men on this subject is a singular poverty of imagination and an astonishing disregard of the history of Anglo-Saxon institutions. In the whole mass it is difficult to find a single statement that rises above the level of a platitude, or that reveals any consciousness of the historic place which nullification has always played in forming the laws of our race.

Back of these high-sounding phrases about the inviolability of the law lies the unwarranted and purely academic assumption that law, simply as law, and regardless of its merits, possesses an authority analogous to the authority which a monarch possesses under the doctrine of the divine right of kings. In fact the two doctrines are identical. According to the theory of legalistic rationalism, law is the command of a sovereign, and the sovereign is a determinate organ of the state. Thus the divinity that doth hedge a king early attached itself to law, particularly to statute law. Law came from Olympus. What common mortal dared object? Divinity hedged a king, though he were an idiot, a knave, and an unmitigated villain. The king could do no wrong. It was treason to resist, or to appeal to any higher law. God had spoken through the sovereign. Later, when the divine right of kings died out, the divine rights of laws remained. The people became the sovereign. The voice of the people, and of the people's representatives became the voice of God; and the theory of those who preach the sanctity of law as law, seems to be that it remains the voice of God, even when it more nearly resembles the braying of an ass.

A classic expression of this view is to be found in the pompous nonsense uttered by the Lord Chancellor in "Iolanthe:"

The Law is the true embodiment
Of everything that is excellent.
It has no kind of fault or flaw,
And I, my Lords, embody the Law.

THE PROBABILITY that Mr. Hoover was uneasily conscious that some of his utterances about the sanctity of law as law bordered on the absurd seems to be indicated by his half apologetic remark to the members of the Associated Press. "In my position, with my obligations," he said, "there can be no argument on these points. There is no citizen who would approve of the President of the United States assuming any other attitude." Concerning which Gerald W. Johnson said in the "Baltimore Sun:" "The ribald might construe that into

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'It's the bunk, and you fellows know I know it; but what else can I say?' "

What is the truth about this doctrine of the divine right of laws and of the dangers attendant on the disregard of unpopular laws? Should law be enforced simply as law? Have all laws an equal claim to enforcement simply because they remain in the statute books unrepealed?

LET US ASSUME, with Mr. Hoover, that nullification of laws which lack the support of popular opinion is identical with law violation both from the standpoint of jurisprudence and the standpoint of psychology; and that all laws, simply because they are laws, must be equally enforced. If the law of a State says, for instance, that bed sheets in hotels must be of a certain length, that law is as sacred and binding on all good citizens as one forbidding the stealing of those sheets by some thrifty traveling man who needs them at home. If an automobile driver drives down Main Street when the law says the speed limit is twelve miles an hour, he must, as a law-abiding citizen, hold his car down to twelve miles an hour, though he has four-wheel brakes in perfect condition, and though all the lawless drivers who want to make twenty or twenty-five are cursing him into kingdom come for blocking traffic.

But now, just suppose! The speed limit in New York city for passenger automobiles is fifteen miles an hour, with ten miles for commercial traffic and eight miles on the corners. Twenty miles is permitted on bridges, parkways, and on park streets. Now just suppose! Suppose Mr. Hoover, Mr. Wickersham and Chief Justice Taft should all decide to drive their cars down Fifth Avenue. Suppose they drove abreast, and that they firmly made up their minds, regardless of local nullification practices, that they would not exceed the legal limit, fifteen miles an hour. Since nobody could legally exceed that speed, no law-abiding citizen could possibly want to pass them, so their three abreast arrangement would be quite all right. Now just suppose! What would the first Irish cop do to them for obeying the law, and for blocking traffic on a street where nullification and law-breaking are so firmly established that twenty-five or thirty miles an hour is the pace, and persistence in fifteen miles an hour would make a man a candidate for the lock-up or the observation ward in Bellevue.

A recent item in the New York "World" says that a reporter, questioning traffic policemen, found nearly all of them hazy as to the legal speed limits and merely using their common sense. On one corner the policeman would arrest any one who exceeded eighteen miles, on another, twenty; and in Central Park a candid officer said that usually the park officer or cycle policeman doesn't pick up anybody unless they are exceeding thirty, "although if they wanted to be mean they could give out a hundred tickets a day."

The "World" then quotes Magistrate Macrery: "About speeding it is hard to say. Suppose a man were intoxicated and started driving in Harlem. Even if he didn't hit any one he is guilty of reckless driving. Another man sober under the same conditions might be going thirty miles and not really be dangerous to any one." That from a Judge who, by Mr. Hoover's theory, ought to be enforcing law as law instead of using his common sense.

Stimson's "Popular Lawmaking" relates that in 1907 there was introduced into the Michigan Legislature a bill which provided that no person should be allowed to marry who had led an unchaste life. Suppose the bill had passed. Would Mr. Hoover suggest its enforcement till it could be repealed?

There is one law in the country that is more consistently and thoroughly violated than the Fifteenth and Eighteenth Amendments, and that is what is commonly known as the Comstock Obscenity Act, which pronounces it obscene and therefore illegal to manufacture or sell contraceptive devices, or to give contraceptive information. The whole American Nation has with almost entire unanimity been disregarding that law ever since it was passed. Contraceptives are sold by drug stores without pretense of concealment to anybody who asks for them. Physicians who are, generally speaking, law-abiding citizens, impart contraceptive information to their patients.

NOW, IF MR. HOOVER should consult Cardinal Hayes and other Roman Catholic ecclesiastical authorities with respect to his duty to do all in his power to enforce the obscenity law as a law, just as rigidly as he thinks all laws should be enforced, they would urge him to let up on prohibition and bear down on birth control, which they think is doing more to undermine our national foundations than all the liquor ever sold. In their view, and under Mr. Hoover's theory of respect for law as law, there would be no doubt whatever as to Mr. Hoover's duty. Does he see it? May we expect immediate action? It is not an unimportant law, remember. It deals with a matter quite as vital as the liquor problem; for the spread of birth-control information is changing the whole ground work and nature of sex morality and sex customs in this country. Whether it is a "subsidence of our foundations" or not it is certainly a shift in them.

It has already been pointed out by exasperated Wets that if Mr. Hoover wants an occupation that would keep him busy in his spare time and insure him the support of the solid South in 1932 he might undertake to enforce the Fifteenth Amendment. It has priority over the Eighteenth in point of time, and might well merit his first attention, since what he is interested in is law enforcement and not just dry law enforcement.

IT HAPPENED a few years ago in a New Jersey town that the owner of a motion picture theatre who had got into trouble on complaint of the local clergy because he ran his show on Sunday, obtained a sheaf of blank warrants, and arrested everybody in sight whom he could catch violating the well-known Blue Laws of that commonwealth. He arrested the motorman of the car that brought him into the town on a Sunday morning, he arrested the bootblack who shined his shoes, the storekeeper who sold him a cigar, another who sold him a newspaper, a garage man who sold gasoline from his pump to passing motorists and a large variety of other "law-breakers." It is said that talk of law enforcement subsided in that town along, presumably, with its foundation, and that the local clergy henceforth minded their own business—which may be doubted. Would Mr. Hoover have seen it through?

One peculiar thing about these Sunday laws, by the way, is that all efforts to repeal them in many States have consistently failed. It isn't that the Legislatures like them or expect them to be obeyed by anybody, but that they are afraid of the votes of religionists who want these laws on the statute books as a gesture of piety and respectability, where they can be enforced against motion picture theatres and Sunday baseball, while bootblacks, news-stands, and other Sabbath conveniences are al-

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lowed to slip by. There is, of course, no respect for law in this attitude. It is simply a cynical and hypocritical purpose to enforce the law in some respects and let it lapse in others.

There lies before me a book called "The Annotated Code of Maryland." Running at random through the section called "Crimes and Punishments," I learn that there are apparently two degrees of blasphemy in Maryland Free State. Anyhow there are two statutes about it. One says that any one who blasphemes God, Jesus Christ, or the Trinity, is subject to a hundred-dollar fine, or six months in prison, or both. The other says that any person who shall profanely curse or swear is subject to a fine of twenty-five cents for the first oath or curse, and fifty cents for each oath or curse after the first. There are similar laws against bad language in many States, often passed by legislators who themselves know how to use it. Repeal is usually impossible, apparently for fear such repeal might be construed by pious voters as a tacit approval of blasphemy. The natural result is the law is nullified and forgotten. Is this a spirit of law-breaking, or is the psychology of nullification in such a case simply the psychology of common sense.

In the same code is a law against adultery. The fine for violation is ten dollars—much less than the fine imposed for offenses supposed to be far less shocking. The plain purpose of this law, with its nominal fine, is not to punish the violator, but simply to afford statutory grounds for divorce in a way that would be acceptable to moralists. The fine might as well have been ten cents. It is safe to say that nearly, and perhaps every, State in the Union has laws against gambling. Lotteries are illegal. Yet churches hold lotteries as a matter of course. Church members and moralists who are dead against gambling on principle, gamble in that way. Nice old ladies risk a quarter on the ten-dollar hand-embroidered lunch cloth. Why? Well, it is harmless. Common sense says that, though certain forms of gambling are a social evil, the buying of twenty-five-cent chances at a church social does not come into this class. So nullification sets in; and if Mr. Hoover insists that it is gangrene, the point will take some proving. Winnings at poker and other card games are, under the law, required to be returned as part of one's income, and a tax paid accordingly. But gambling is against the law. How does it happen that the Government accepts a tax on illegal winnings?

Perjury, under the law, is an extremely serious offense; but a man who wants to give his wife a divorce can fake the evidence and lie like a gentleman, and set her free. Everybody, including the court, knows it is perjury. His attorney who helped him concoct the lie knows it is perjury. But nobody says a thing. The lawyer isn't disbarred by the bar association; the judge who winks at it feels no twinge of conscience; and the husband, for all his faked adultery, remains respectable. Often the couple try marriage again, with some one else. Such remarriage is often an admitted part of the plan. But nobody objects to this obvious collusion. It is nullification; and society needs some such relief from our irrational laws on marriage and divorce.

It happened not long ago that Frederick Lee Coburn of the Maryland House of Delegates, related to his colleagues that when he married he was eighteen years old, and his bride sixteen, and that they gave their ages as twenty-one and eighteen.

"You committed perjury," said a colleague.

"Yes," said Mr. Coburn, "and I'm proud of it."

This raised a laugh. Theoretically it should have gotten Mr. Coburn into social and legal trouble. But apparently theories don't matter much where nullification is around to sweep them off the board. It would seem that there is perjury and perjury, and that some kinds contribute substantially to human happiness.

Kansas had an anti-cigarette law when I lived there. I think it has since been repealed. But its repeal came about, not because it was enforced, but because it was flouted. Under Maryland law it is possible for a father to will away a child from the mother. One would like to see what would happen to that sort of a will, however legal its provisions.

A law-enforcement officer told me how a woman in his community came to him and complained that the dry law was not being properly enforced.

"I told her," he said, "that hundreds of other laws of which she had never even heard, were not being enforced; but that she was apparently not concerned about that. I refrained from telling that if I should enforce the law, I would at once arrange to have her husband sent to the House of Correction or fined $500. He is one of the finest and most upright men in our town, and he is on the board of directors of a public institution. That institution buys from him certain supplies. Perhaps he gives them a special discount. However that may be, it is against the law for him to have these dealings with an institution of which he is a director. It's perfectly all right in this case; but it is also perfectly illegal.

"And that isn't all. I'm constantly hearing of these law violations which are quite all right in practice whatever they may be in theory. In this region many banks accept their own bank stock as collateral on loans. Since their stock is good, this procedure is perfectly safe, and often a great convenience. But it is against the law. Do I meddle? I do not.

"Again, petty officials in our county seat are constantly practicing law without a license. People come to them instead of going to a lawyer, and get the same service much cheaper. Druggists practice medicine, particularly in rural communities. Poor people come to them with their aches and pains, and ask for whatever is good for it. In many Southern towns there is likely to be some one druggist who is virtually physician to all the colored people in the country round—so far as their minor ailments are concerned at any rate. In like manner there is usually some farmer in a given region who is skilful in ministering to stock, and in the practice of the elements of veterinary surgery, particularly in gelding, etc. He has no license, but he does it to oblige his neighbors and to pick up a few dollars on the side. This is the custom; and it nullifies existing laws."

There is a county on the Atlantic seaboard where oystering is an important industry, and where the law says that no license to tong for oysters shall be granted to any one who has not been a resident of that particular county for a year. Recently an oysterman who had long lived in that county went over into a neighboring county temporarily to take a job. When the oyster season came around, he applied for a license, and was refused by the county clerk because he had lived elsewhere. His fellow oystermen formed an indignation committee and appeared in a body before the district attorney, and wanted to

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know what about it, and where was the justice of it.

"Well, boys," said the district attorney. "There's the law. But we all know Bill, and we knows there's no sense in depriving him of his living because he took a job somewhere else when there were no oysters. He's always lived here, and worked here and has a wife and three children. If Bill goes oystering and you fellows don't squeal on him, why I don't see what I can do about it." So Bill's community nullified the law in his favor, though they would have enforced it rigidly against an outsider and a non-resident.

UNDER FEDERAL LAW it is unlawful for any hotel to discriminate against negroes. A hotel can't refuse a negro a room because of his color, nor can a restaurant refuse to serve him on that ground. But in practice the law is unenforceable because public opinion in regions where it is violated sanctions such violation and would not tolerate enforcement. This, rightly or wrongly, is the real law; the statute is simply a scrap of paper.

Georgia has a law, still on the books, which prescribes that a life-guard must be stationed at every bathing beach by the owners of the beach, and that he must wear a "bright solid red bathing suit," and walk up and down the beat at all times with a leather harness around his neck to which is to be attached a life-line 200 feet long, and a quarter of an inch in diameter. In Louisiana, Utah, Wyoming, Ohio, and West Virginia it is against the law to wear high hats in theatres. In Maryland it is a misdemeanor to throw a bottle from a Pullman dining car. In Nebraska it is unlawful, by statute passed in 1911, "for any person to camp in two places within a radius of five miles upon any public highway of this State within a period of thirty days." In North Dakota it is unlawful for children under fifteen years "to approach closer than ten feet to a locomotive unless accompanied by parent or guardian."

There are four States which make it a crime for a political candidate to treat a voter either to a drink or a cigar, or to hire a vehicle to convey voters to the polls. Fee-splitting by physicians is forbidden in seven States; and an attempt was made in 1915 to pass a law prohibiting dentists from advertising that they performed painless dentistry. In the States of Washington, Arkansas, Iowa, South Carolina, Tennessee, Mississippi, and Georgia, it is against the law to tip a bootblack, bell-hop, porter, or barber. One would like to see Mr. Hoover try to obey that law. Half the States of the Union have laws prescribing the length of bed sheets in hotels. In North Carolina the law prescribes that there must be a two-foot space between twin beds. South Carolina is the State where no divorce is granted, but where, in the interests of morality, concubinage is permitted by custom. How far would Mr. Hoover go, if he were Governor of North Carolina, in enforcing that two-foot-space law; and what would he be saying to the Governor of South Carolina by the time he finished the job?

In the State of Washington it has been unlawful since 1927 "for any person to operate a motor vehicle upon the highways of this State when such person has in his or her embrace another person which prevents the free and unhampered operation of the car." Maryland has a law which forbids fornication in automobiles.

THESE EXAMPLES are cited to make clear that between theoretical and doctrinaire respect for law as law which Mr. Hoover advocates and the actual attitude which the public holds toward law as law, there is a great gulf fixed. Since it is there we had better recognize it.

As for Mr. Hoover's contention that the enforcement of a bad law lends to its repeal, there is no warrant in history for such an assertion. The enforcement of the Stamp Act and of the Fugitive Slave Law would not have led to their repeal, but to their permanent establishment. The laws against witchcraft passed out, not through repeal but through nullification. There are countries in Europe today which have unrepealed statutes providing for the burning of heretics. Presumably the burning of a heretic or two would lead to repeal. But why bother? And why inconvenience the heretics to that extent? Why take lunacy seriously?

In the light of these samples of the way the law does not get enforced in this or in any other country, what is the truth about law enforcement? Is there really a subsidence of our foundations? Have American citizens, in a wild orgy of rebellion against law suddenly turned to theft, forgery, embezzlement, burglary, homicide, and other offenses which it is clearly sensible to prohibit? Is there in point of fact the slightest evidence that the ordinary, hitherto fairly law-abiding citizen has suddenly gone crazy and turned to near anarchism, or that he in any way countenances the violation of laws that are patently reasonable?

In his speech before the Associated Press Mr. Hoover ruled out the Eighteenth Amendment, and insisted that violation of the dry law was only one item in a general orgy of contempt for law. It was clear, however, that in spite of himself, Mr. Hoover was using "law enforcement" and "dry enforcement" as practically synonymous terms. If he really meant dry enforcement, why didn't he say so? Simply because if he had admitted that the mass of American citizens are reasonably law-abiding, and are in flat rebellion against one law while obeying most other laws, he would have created the presumption that there must be something wrong with the law rather than with the law-abiding people who have combined in such multitudes to nullify it. So he adopted a camouflage which deceived nobody, and talked of forgery, embezzlement, homicide and other crimes to which the mass of citizens are no more addicted than they ever were. Even the crimes of the bootleggers are a measure of self-defense based on the fact that the industry is deprived of the ordinary protection of the laws and the police, and has to look out for itself by methods of primitive violence.

IT WILL BE RECALLED that when Governor Smith, in the recent political campaign, proposed that there should be a referendum vote on prohibition, Mr. Hoover shrank in horror from the idea, and said that that would be nothing less than nullification. Well, that's the nub of the situation. Mr. Hoover didn't argue that nullification would be a bad thing. He considered that axiomatic. And yet such a position toward nullification finds no support whatever in the history of Anglo-Saxon institutions. The truth is that our race, throughout its history, has used nullification as a rough and ready form of legislation which enables the public to substitute its will for the will of a legislative body with which it no longer agrees. Anglo-Saxon democracies have always expressed the popular will this way whenever the codified law failed to express it. The statute is not the law;

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The Contradictory South

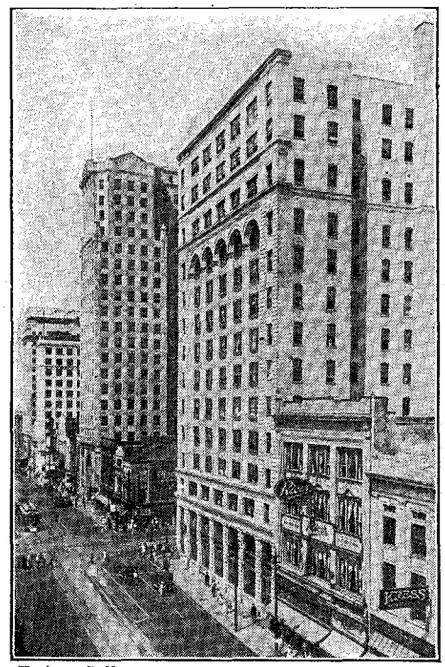
By CHARLES MORROW WILSON

While labor troubles have of late focused attention on the growing industrialization of certain sections of the South, Mr. Wilson reminds us that there is a good deal of land below the Mason and Dixon line and as much human nature and diversity of taste and opinion as can be found in any part of the world

MR. DOOLEY tells that in his youth he once wrote a book about women. In mature life when he came to publish it, he looked over the manuscript and added at the end what scientists call *errata*, in which he asked his readers to substitute "is" wherever they found "is not," and wherever they found "is not" to substitute "maybe," "possibly," or "God knows."

It seems to me that this surveillance might be used about as expeditiously in writing about the South. For the South is a land of strange contradictions; it is a great paradoxical commonwealth, most of it rural, much of it still a country of young frontiers. The South is not a lolling monotony of cotton fields, chocolate-tinted mammies and frolicking piccaninnies; nor is it an insuperable expanse of factory stacks, power dams, oil derricks and puffing gins. It is a country of bear dens, wild flowers and filling stations; of primitive Baptists and mercurial iconoclasts. It holds backwoods, cotton valleys, earthquake sinks, and stretching wildernesses. The South holds mesas and mountains and seep lakes and bayous; it has negro communes and strange Utopias of river islands; it has most diversified gentries and thuggeries of rice, oil, timber and cotton; investors in leisurely understanding and river people who dock and lounge and drift and dream. There are the uproarious oil centers of Louisiana, Texas, Oklahoma and Arkansas; the green hills of Kentucky and the cattle valleys of Virginia. There are Cagians and Creoles and Everglade people, Teche villages deserted but for their whirling flower drifts of sleepy butterflies, and the most highly modernized of industrial cities, such as Montgomery, Dallas and Tulsa. There are plantation houses weather-worn and decrepit, citadels of lost yesterdays and fading orders; the fields about them flood-scarred and much gone to sassafras and sumac; garrisoned by age-scarred pecan groves, sleek-leaved magnolia trees and uproarious batteries of sequestered frogs. There are magnificent promotion and architectural projects, modern homes by the unpaid-for thousands, mountain cabins sway-backed and decrepit and leaky-roofed tenant shacks in ramshackle profusion.

Nearly a third of the land area of the South is hill country, much of it wild and sequestered. The four major ranges of Southern mountains, naming them roughly as the Cumberlands of Kentucky and Tennessee, the Great Smokies of the Carolinas, the Blue Ridge of Maryland, Virginia and West Virginia, and the Ozarks of Arkansas and Southern Missouri, represent a land area of more than twice that of all New England and they support a population of nearly eight million people. The Southern swamp country represents an area as great as Illinois and Indiana combined and the Everglades of Louisiana and Florida are more than half the size of all Massachusetts.



Ewing Galloway

SKYSCRAPERS IN CHARLOTTE, NORTH CAROLINA

The South is not a lolling monotony of cotton fields

The body of the South varies no more surprisingly than does its spirit. It is a haven of social urges which move in juxtaposition to one another, of social urges which refute and befuddle and throw catawampus. By way of a beginning contradiction, there is the feudal South versus the industrial South. The tenant system of cotton farming, itself an outgrowth of slavery, has lost few of its slavish aspects. The tenant remains shackled and tethered by the bonds of economy. Cotton is his sole crop and his sole credit. When he must borrow he can give as security only a harvest lien on the prospective yield of his acres. In the run of instances the village merchant serves as lender and advances measured handouts of victuals, clothing and necessary incidentals, taking in payment a crop mortgage levied jointly against tenant and landowner. So the rent farmer buys on credit and pays in October and having paid he must go again as a suppliant in quest of credit. But the landlord and the merchant figure that the price of cotton is bound to be better. So, also, does the tenant. Thus the trio follows with the years, always trailing down the rainbow of better-prices-for-cotton. The landlord holds, the merchant risks and the tenant hoes, and, relatively speaking, all three stay poor. Debt considered, the landlord is probably the poorest of the three. The chances are that he inherited the land, and to hold it must keep endlessly at battle with voracious debt.

Torrents of capital are pouring Southward, but instead of attempting a cure for the intricate and baffling dilemma of tenantry, this newer gentry of industry and enterprise is developing and exploiting the more dependably lucrative resources of the South: power, timber, oil, iron, cotton by-products, fabric factories and newspapers; the while steering painstakingly clear of the hoe-a-day humdrum of cotton hoeing, which nevertheless remains the economic stay of some eleven million people. The new industrialism concentrates its activities upon relatively few happily situated communities, leaving the great physical body of the South to carry on in its own strange way. A corporation could raise twenty million dollars for the execution of a power project, assured the while of clear, bright business, but when put upon with a proposal of spending a tenth of

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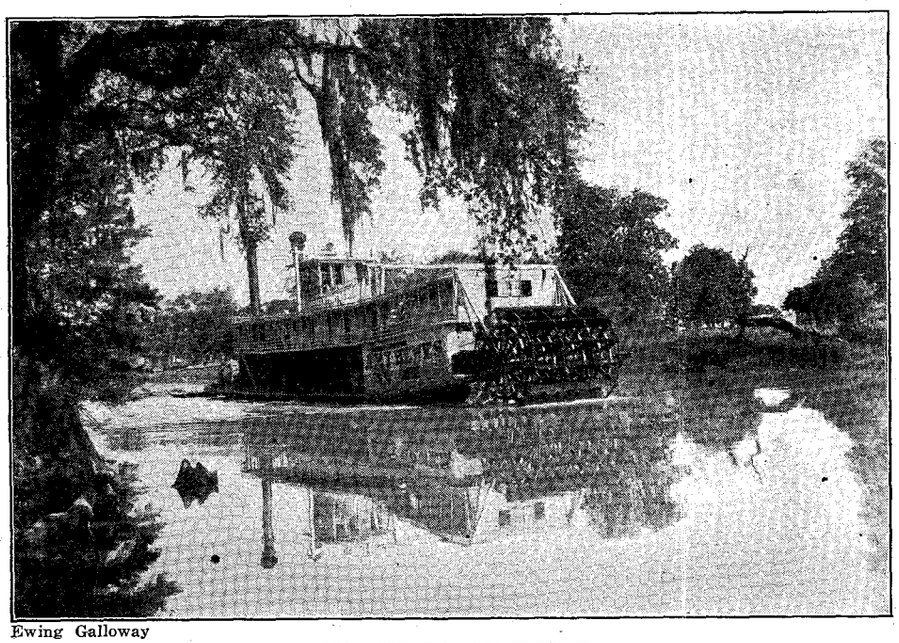
that amount for easing along a few thousand acres of worn-out cotton land providing upkeep for indigent negroes, doddering fences, aging mules, gin tolls, drainage ditches and indefinite durations of tenant victuals—the minions of capital would no doubt respond with unctuous negations. In such a case there must be a recipient of the buck. There is—the land holder, whose stead is but slightly changed by the passing of decades, Dred Scott decisions, abolition or national prohibition.

The South is more misrepresented by extravagant laudations of the rising mightiness of its industries than by the lamentations of its serfdom of tenantry. Both subjects are ponderous enough, to be sure, but either lacks several good country miles of being all the South. It strikes me that the South has engendered a three-fold aristocracy: its primitive aristocracy of land ownership, and a delving and seething industrial aristocracy, each one of them doing its part towards bolstering a new intellectual aristocracy, which is coming to stand Colossus-like, with a foot on either prop.

Southern literature provides a study in paradox and transition. From the first, Southern literature was a literature of good taste. A preponderant majority both of its readers and writers have been good British scions, precultivated and deeply rooted in the Anglo-Saxon tradition. Yet most of it has been a literature of the sunny parlor, lacking both in penetration and openness. The Old South was primarily interested in the pretty. It was suspicious of a smile and jealous of criticism. And it was at least in part a hot bed for shallowness and stultifying taboos. Even ten years ago had a Southern writer dealt with the negro in any light save that of an old-time darky or the slap-stick tickler of funny-bones, he would have found himself in the stead of the accredited gentleman who would blow his nose uproariously during the proper procedure of Colonel Bullteeter's gin party.

But today there are Southern writers who dare to meet life seeingly and gallantly. Julia Peterkin pictures the magnificent barbarity of the plantation negro. DuBose Heyward writes rhapsodic interludes from the days and ways of coast negroes. "Sun-Up" and "Shame Woman" dramatize the Carolina mountaineer with power and accuracy. In "Hell Bent for Heaven," Hatcher Hughes delves straightforwardly into the orgies of professed religion. Laurence Stallings says emphatically what he pleases. Ellen Glasgow writes with splendid bitterness of the gray humdrum world of the cotton renter. Horace Kephart writes boldly and seeingly of the Southern mountains. Mary Johnston writes of Civil War times much shorn of their fiction-built sentiment and blather. James Branch Cabell keeps in eminent and allegorical solitude. In her candle-lit dramas of salvation Corra Harris pictures the energetic and resourceful aboriginal Methodist housewife. Addison Hibbard of North Carolina University holds well-earned seniority as a magazine essayist. Gerald Johnson and Paul Green, representing the younger generation of Tar Heels, certainly deserve mention in any enumeration of talented and truth-seeking penmen, as do the Piedmont poets, John Crowe Ransome and Donald Davidson.



Ewing Galloway

ON THE BAYOU TECHE

The Southern swamp country represents an area as great as Illinois and Indiana combined

There can be no reasonable denying the traditional shacklings of Southern prejudice, that the South has been a mothering homeland for bigoted church sects, sectarian politics, Ku Kluxers and sundry other outcroppings of intellectual littleness; nor that the Southern press has been money-stifled and preacher-ridden. Yet Southern journalism shows increasing symptoms of editorial independence and of verbal high-heartedness. In 1923 the Pulitzer trophy for the greatest public service rendered by an American newspaper went to the Memphis Commercial Appeal for its fearless exposure of the Ku Klux Klan from the very heart of the Kluxer empire. It has been ten years now since the "Nashville Banner" smashed all standards of Dixieland propriety and openly supported a Republican ticket, both State and national. And now there are easily a dozen other Southern newspapers of moment which can be counted upon for being consistently forward and independent in their editorial policies. The "Columbia States," the "Asheville Citizen," the Arkansas Gazette," the "Chattanooga Bee," the "Macon Telegraph" and the "Atlanta Constitution" all strike me as being of that gallant and free-handed ilk.

Speaking of paradoxical transitions, one might meditate upon the public school system of the South. Reckoning historically, traditions of the old South were opposed to free schools. Prior to the Civil War none of the Southern States had established tax-supported public schools and during the slow decades which followed reconstruction school houses were scarce, competent teachers few, and weighing down all spirit of progress was the dreary poverty of the tax-payer. It was upon such a foundation that the South was put to build for education and esthetics. Yet the South has become a countryside of free schools. In 1912 the eleven Southern States spent for public education $2.36 per capita. By 1920 this amount had increased to $4.90 and in 1928 to $6.70. In 1902 the average

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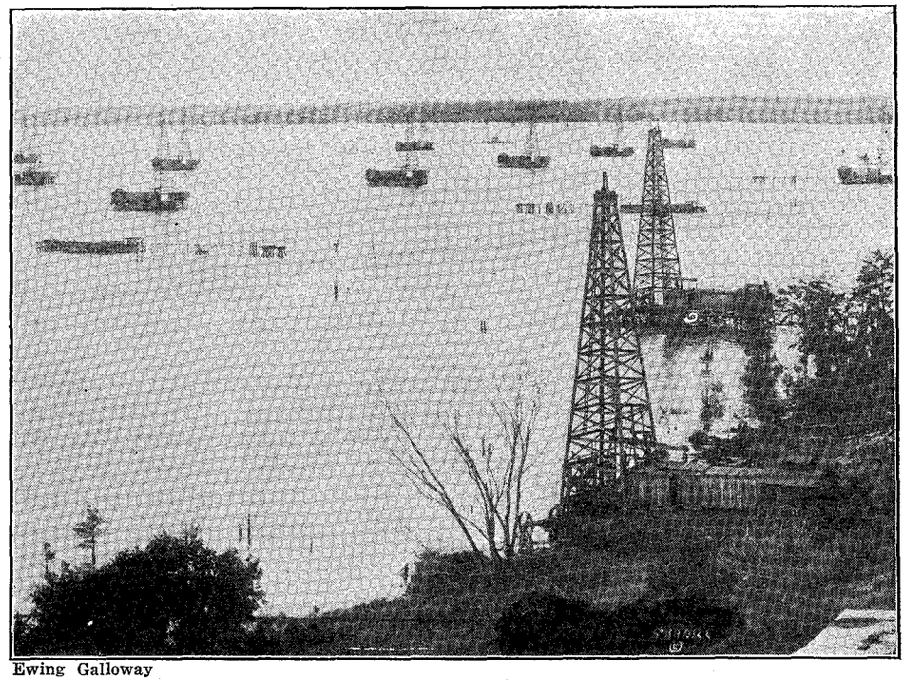
white illiteracy of the South was 8.6 per cent; in 1920 it was 5.9 per cent, a decrease of 2.7 per cent as compared with an average decrease of 1.2 per cent for the whole of the United States. In 1870 approximately seventy per cent of Southern negroes were illiterate. In 1920 illiteracy held only 25.3 per cent of them. And now the South has more than five hundred schools, exclusive of regular public schools, devoted exclusively to the education of negroes. Through the benevolence of the Rosenwald building fund, which provides one fourth of the construction cost of a school when the remaining three fourths are provided by public funds, 3,565 negro schools have been built in the South at a cost of fully forty million dollars. And although the number of homes owned by Southern negroes has risen from 264,288 in 1890 to 610,540 in 1920, the negro schools of the South receive fully four times as much public money as the negro population pays in taxes.



Ewing Galloway

A LOUISIANA OIL DISTRICT
Derricks in Caddo Lake near Shreveport

If any phenomenon can be more contradictory than the Southern landscape or the Southern mind, it is Southland speech. In Dixieland I have listened to Norwegian, Italian, German, Cherokee, Choctaw and Yiddish. I have heard Oxford and Harvard, Chinese, Russian, gypsy and hill talk. I know white folk who talk like niggers and negroes who speak as gentlemen. In New Orleans I have listened to negro ditch-diggers converse in immaculate French and in old Creole cemeteries I have heard colored caretakers read Latin inscriptions with a fluency and verbal beauty which should bring unction and joy to the most fastidious professors. I have heard Georgia lieutenants bark their "r's" hard enough to shake down the proverbial acorns and I have heard piccaninnies discussing parents and peppermints in the most punctilious of Massachusetts inflections. While visiting the news room of a great Southern paper I was impressed by the scarcity of soft Southernisms. I suggested to the city editor that it appeared that he was going in for Yankee reporters.

"No, no, these are all Southern boys. We just don't have time for drawling around here—too much hot copy about. Get a Southerner hurried or interested and the chances are that he'll forget about old-fashioned darkies and talk American."

I was speaking just recently with a ravishing Sheba from the cotton country. She was discoursing with languorous fluency upon the joys derivable from a week-end at Montgomery. I cannot here put down all that she said. It would fill the whole of this magazine and a couple of city telephone directories besides. But her conclusion ran somewhat as follows:

"No lemme tell yough—if you-all wull just come down we shuah will show ya a warrum time."

I listened in etymogolical amazement, positive that I had identified at least three distinct brogues not to mention twangs and short turns of half a dozen more. Yet to have denied that this damsel was a true daughter of the cotton country would be nothing short of traditional heresy, for her very bearing bespoke magnolia blossoms, Confederate monuments and sun-flooded lanes.

Ewing Galloway

A sawmill in the pine belt

Life, in the South, is like that. Speaking dialectically a rule or a generality can do no more than serve as background for a preponderance of exception. An accurate classification of Southern speech would be about as feasible as a Congressional manifesto regulating April weather. A fellow from Arkansas rarely talks like a gentleman from Virginia or like a fellow from another corner of Arkansas. The Southern "r" is consistently misleading. It dies only to reappear in the most surprising of resurrections. Indeed the same Southerner in the same utterance may bark or slur or wholly disregard the consonant.

But the South has one lingual gyroscope. That is the Southern mountain speech which is generally staple, at any rate so long as one hillbilly is talking to another hillbilly. The Southern hills are old hills, inhabited by old people with old ways of thinking and talking. Their language is a survival of older days, through isolation and consequent avoidance of the ways of a modern world. It abounds in strong preterits —"drug" for "dragged;" "wropt" for "wrapped," and "holp" for "helped." The Southern mountaineer says "fur" for "furder" as did Sir Philip Sidney.

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Leadership and Journalism

By STEWART BEACH

The author, until recently an editorial associate, has left his desk to indulge a desire that many editors share and some succumb to. His first piece of writing is of particular interest to us, but we like to believe that it will appeal also to the readers of this magazine

ONE of the most encouraging aspects of the present age is its determination to find leaders who will point the way we are going. Science has broken up the simple life of our grandparents into such a bewildering complexity in our own generation that we are suddenly eager to discover the meaning of it all. It is a new and fascinating experience that we are having: a sort of intimate game which has made gossip an intellectual diversion and given every one an opportunity, with a fine show of disinterestedness, to talk about himself.

To the casual observer, particularly the foreigner, this scrambling search for knowledge may seem flippant and superficial; and in part it is. But behind it, I think, lie the beginnings of a real and earnest desire to learn not only where we are going but whether we are choosing the best means of reaching our goal. However capricious may be our changing taste in prophets, we are very sure of the end in view. Our only dilemma is to find leaders who will point the way.

There has been no such dilemma in the past for, until recently, the major interest of the Nation has been, or has seemed to be, in public affairs. And in this field the newspapers have supplied an alert and ready leadership. It has been the function of the newspapers to lead and of the magazines, for the most part, to entertain and instruct in the less significant activities of life. The larger questions were disposed of by the press and by those few journals of opinion which, appearing weekly or monthly, discharged with somewhat greater leisureliness the press's function of commenting upon and explaining the major developments and personalities as they emerged into the spotlight of the news. But with the shift of national interest away from the world of fact and toward what may be called the world of ideas the press itself is faced with a dilemma which is beginning to mark off and restrict its own authority as it has already begun to broaden the influence of the periodical journals of opinion. Partly the dilemma is due to this development over which the press can exercise no control; but other influences have played upon it, not the least of which is the growth of the newspaper as one of the big businesses of America.

During the years which ushered the nation out of a period of economic expansion and into an era of mass production the newspapers were the consistent heralds of prosperity. Editors were caught up in the booms which made giants of a hundred quiet manufacturing cities. Streamer headlines confirmed their approval of new factories come to town; editorials praised the vision of executives who had chosen to set up their enterprises in the community and prophesied the multiplied blessings which would derive from increased population. Intelligent selectiveness, for the most part, went by the boards. If more people could be induced to come to your town, it meant more houses; more houses meant money in the pockets of the real-estate men, the builders, the stores, the banks. If the families themselves couldn't save, at least their labor increased the production of the factories and thereby added to the wealth of the town. Swelling bank deposits and real-estate values became front-page news. Subdivisions pulled at elastic city limits. Urban America, with the ringing applause of the papers, grew apace.

THE PRESS ITSELF was caught up in this swelling activity which marked the beginnings of mass production. Booming populations increased newspaper circulations but, more particularly, they fostered new mercantile enterprises which, in turn, brought increased advertising to the newspapers. The "Worlds" and "Tribunes" of a hundred towns found their pages growing from four and six to eight and twelve, and from eight and twelve to sixteen and twenty-four. With the sanctification of "it pays to advertise" as part of the national credo, there seemed to be no limit to the expansion. The newspapers, in other words, not only in the towns but in the larger cities as well, found themselves forced out of their older, rather simplified existence as purveyors of news and molders of public opinion into the new groove of big business with all of the concerns and restrictions which big business implies.

For one thing, with the multiplication of national and local advertising their earnings increased to such an extent that launching a paper with its staggering investment in costly modern machinery and the long up-hill fight against established competitors has become a practical impossibility for the average man, and buying one, in a community of any size, an enterprise to be undertaken only with the most munificent financial backing.

NEWSPAPER values only occasionally become public property, but recent revelations by Archibald R. Graustein, president of the International Paper & Power Company, before the Federal Trade Commission in Washington furnish a norm of judgment. On January 2, 1929, Mr. Graustein's company consummated the purchase of one half the stock in the Boston Publishing Company which publishes the "Boston Herald," a morning paper, and the "Boston Traveler," an evening paper, with a combined circulation of 265,371. For its 10,248 shares, the International paid $525 a share, a total of $5,381,200. But the purchase price was based on 1927 earnings which have increased considerably since the transaction was completed, so much so, according to Mr. Graustein, that he believes his company has already made a profit of more than a million dollars on the deal, an estimate which would bring the present total value of the two papers to something like $13,000,000. It is somewhat more difficult to estimate the value of other newspapers mentioned by Mr. Graustein as having received assistance in financing from his organization, but it is interesting to note the testimony regarding offers which were refused to purchase the "Boston Post," with a circulation of 397,419, and the Cleveland "Plain Dealer," with a circulation of 218,775, for $20,000,000 each.

These figures, in no sense unusual, are sufficient to suggest the extent to which newspapers have become big business. Even in these days of large fortunes

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and multiplying millionaires, a ten or twenty-million-dollar purchase is not to be entered upon lightly by any individual. Nor is it a property, once held, to be toyed with. Newspaper circulations are capricious, and advertising rates are based squarely upon the extent and the distribution of circulation. It is in no sense to impugn the honesty of the press to point out that editorial standards must be maintained which will make the paper acceptable to as large a desirable circulation as possible, for dull or unpopular policies are quickly reflected upon the news stands. Although circulation and advertising are primarily the problem of the business office, editors must take care that they give their business associates an acceptable product to sell. A responsibility rests upon the man who must provide acceptable reading matter to return an income of better than a million dollars which was felt but rarely by his predecessor of fifty years ago.

But big business is something more than a matter of size, and it is perhaps inevitable that the newspapers should have adopted two important aspects of the modern industrial philosophy—mergers and chains—to consolidate their positions and increase their earnings. For the newspapers have been faced with much the same problem which the manufacturers have had to consider: ruinous competition and a possible saturation point in their markets.

INDUSTRIALISTS have met these problems in a number of ways. The automobile manufacturers, for example, have decreased their numbers drastically by mergers and pushed the saturation point into the dim distance of what seems to be infinity by fostering installment buying and pressing the two-car family idea. The newspapers, however, have come close already to making us a nation of two-paper families, and there seems no future means of increasing individual circulations greatly, save as the gradual growth of population automatically provides more readers.

According to latest figures, the average daily circulation of morning and evening newspapers in the United States is 37,972,592 copies. The Sunday average is 25,771,383. The last official census of the United States shows 20,697,204 dwellings which house 24,351,676 families. In other words, there are nearly two papers a day for every house in the land and more than a Sunday paper for every family. It is this situation, presumably, which accounts for the growth of chain newspapers in recent years, as well as for the pronounced tendency toward mergers.

There are, at present, fifty-two newspaper chains in the United States holding a total of 274 newspapers, something over a tenth of the 2,461 morning, evening and Sunday papers in the land. Not all the economies of chain-store operation may be claimed for the tie-ups, save in close geographical holdings, but there are enough of them to make consolidated ownership attractive. However compelling may be the economic reasons for the development of such chains, one need in no sense be critical of the movement to point out that, in its essence, it has destroyed to a great extent the conception of the newspaper as the organ of personal opinion which has hitherto been its most familiar aspect and one of the most powerful springs of its leadership.

IN THE MANAGEMENT of most newspaper chains it is the practice to direct editorial policy upon national or international issues from the central office leaving decisions upon local affairs to the resident editor. Readers are assured that the paper will still be the mouthpiece and leader of the community, with the added attraction that a larger organization is able to furnish better and more interesting features and to develop a more efficient service for its readers. All of which may be quite true, and yet, in the end, the chain newspaper has almost inevitably lost some of the intimacy which its predecessor possessed. Its roots are no longer sunk deep in the soil of the community it serves; they have been transplanted to a central office, perhaps half-way across the continent. Nor are its executives always men who have grown up in the community, who know its ways and how it may best be led. Often they are sent out from the central organization to provide editorial leadership for a city in which they are strangers.

Something of the same sacrifice of leadership inevitably follows in the wake of mergers. For a newspaper, in the last analysis, if it is to impress its readers with the integrity of its leadership, must possess the familiar personality of an individual. And if it is the function of the press to lead, then each merger marks the death of a leader. For when two papers are joined the personality of one is always dominant. However sedulous the editors may be in retaining "the best features" of each to hold the audiences of both, something of the old individuality has been lost. Although the merger receives the economic sanction of increased advertising it leaves a vast quantity of orphaned readers, forced to seek counsel of strange gods.

One need only turn to the recent statements of two men to note that the implications of big business in the press have not passed unobserved by the editors themselves. Robert Lincoln O'Brien, former editor of the "Boston Herald," had this somewhat bitter question to ask: "Is not our newspaper of opinion throughout the country destined to pass out in this era of big business control? The time may come when the newspaper will dodge the appearance of political interest or the expression of a political preference, much as would a great insurance company or a great dry goods store, because it would 'hurt business.' This is a possibility. . . . In fine, the journal of opinion, long regarded as a primal output of the printing press, has ceased with the chain newspapers, has ceased in highly consolidated fields." William Allen White, editor of the "Emporia Gazette," was quite as gloomy, in a recent statement to the "Editor and Publisher," over the state of the press. "Because newspapers in the last thirty years have veered from their traditional position as leaders of public opinion into mere peddlers and purveyors of news," he wrote, "the newspapers have become commercial enterprises and hence fall into the current which is merging commercial enterprises along mercantile lines."

ONE NEED hardly share entirely this pessimism to agree that mere size and the responsibilities of big business have lowered somewhat the alertness with which the press has exercised its traditional function as watch dog of the Nation. But there is another and somewhat more subtle force which is threatening the newspapers' leadership. It has nothing to do primarily with the press and everything to do with the people. It goes back to the observations with which this article was prefaced. The temper of the public, it appears, has changed. In its new-found absorption in ideas, it has discarded a fascination in politics which seem once to have been its major interest. And with its

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partial loss of interest in public affairs has gone its eagerness to read comments upon them. I do not think it has lost entire interest. But it has lost the desire to follow them day by day, for it has decided that they are not the paramount interest of life. That is the story. Perhaps it is the measure of our new sophistication, this apparent weariness with public affairs. But more possibly it is the result of impatience at a habit which is buried in the text-book of the politician: to make every issue a paramount issue; every bill he favors a national blessing; each one he opposes an instrument which would threaten our very homes and firesides. We have learned to cry "bunk" at these purveyors of false values, just as we have learned to discard much which has passed for ancient truth and become outmoded. But to see that irreverence as the mood itself and not as but one of its aspects is to see but half the truth. For we are not only interested in crying "bunk;" we are anxious that we shall find what is not bunk as well. That, I think, is the stumbling-block over which the leadership of the press has faltered. It is no longer able to convince us that public affairs should be our most important concern as they are the most important concern of the newspapers themselves, and the newspapers have nowhere else to turn.

For the press is traditionally concerned with the world of fact which means, primarily, public affairs. But even where it still maintains its old vigor in dealing with them, it seems to have lost its magic to compel. During a political campaign, it is significant to observe, when the interest of the public is excited, there are flashes for the few short months of action. After that, the magic seems to depart. It is not, necessarily, that sincerity and compelling writing have gone, too. It is merely that the public, once the issue is decided, turns its interest to other affairs.

This is the point, it seems apparent, at which leadership of the press has faltered: it is by no means able to follow the public from its unified interest in a political campaign, for example, into the new paths where this interest has been diffused. This, I think, is the development which often appears to editors as indifference upon the part of the public toward all important issues when the truth of the matter is that the people have found many facets of life to gaze upon some of which are outside the field of the press. It need hardly be inferred from this that the public feels the press to be guilty of attempting to establish false values. It is content to recognize that the values exist; but often the situations which they represent seem so remote from the province of the average man that he is less willing to study them than to fix his attention upon other matters which seem closer to him.

A year or two ago, Walter Lippmann, editor of the New York "World," phrased the distress of conscientious editors at this indifference of the people toward important aspects of public life. "As one whose business it is to write about public affairs," he said, "I have often been made to feel like a man at the theatre who forgets where he is and shouts at the hero to beware of the villain. For of late it has been our mood in politics to regard ourselves as the spectators at a show rather than as participants in real events. At a show well-bred people do not hiss the villain. They enjoy the perfection of his villainy and recognize that he is necessary to the show."

One can easily understand how distressing this indifference may be, but the reason, I think, to carry Mr. Lippmann's figure further, lies to a great extent in the fact that the press has failed to observe that it is giving us only half the show. We are by no means blind to the importance of politics, to the necessity that public affairs be conducted efficiently and honestly. But there are so many other matters of importance, too. If the modern mood means anything at all, it marks the awakening of the people to a vivid curiosity in the life about them. That is why politics no longer enthralls us; we have learned that there are other important things in life. We have been violent in breaking images but only, we are beginning to realize, that we might set up new truth the sooner. It is in directing this search for ideas and for truth that the journals of opinion are beginning to find themselves.

There is a new trend in journalism here which had shown itself only occasionally until the broadened interests of the public made it possible. It is interesting to observe, for example, that its fundamental characteristic is a fine confidence in the alertness and earnestness of the American people. There is no false note of patronizing condescension in its program. No subject is ruled out as too deep or too intellectual for its audience. It is seriously attempting, by the evidence of the tables of contents in the journals it has vitalized, to serve up ideas and to direct opinion, not through editorial pronouncements, but through an intelligent selection of contributors and subjects to present ideas rather than facts and opinions alone.

To any one who reads his journals critically, the shift of emphasis which this implies must be readily apparent. Hitherto, it has been more particularly the province of the magazines, as of the newspapers, in their editorials and special articles to follow the news, to explain and to comment upon those events and personalities which seemed of outstanding importance. If a disarmament conference was about to convene at Geneva, the alert editor was bound to choose for his leading article a factual background survey of the progress made in previous sessions with an analysis of the differences between nations which would complicate the acceptance of any program at the forthcoming conference. If the convening of Congress approached, then quite naturally there should be a forecast of the issues which would be fought over beneath the dome of the Capitol.

There need be no criticism of this type of journalism. It is as valuable today in laying a foundation to our own knowledge of public affairs as it ever was. The fact that it has been more or less discarded by the journal of ideas merely suggests that the editors of a certain branch of the periodical press have seen it as the province of some one else—the newspapers, particularly. These editors have by no means lost their interest in keeping their readers thinking about the importance of public affairs, we may believe. But they are concerned chiefly with collecting new ideas for men and women to be pondering. They are rather more concerned that their readers shall think of the implications of movements and events than of the movements and events themselves.

I am sure, for example, that something of this sort must have dictated the choice of Elmer Davis's study, "If Hoover Fails," in the March issue of "Harpers." For it illustrates the new journalism's method of vitalizing so important a political event as the inauguration of a new Administration with something more than a routine forecast.

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Mr. Davis dramatized what were, for him, the implications of Mr. Hoover's victory and the many currents in public and individual life which converged upon it. In the last analysis, his article was significant and valuable because it discarded the conventionally complacent temper to examine coolly and disinterestedly some of the imponderables which might rise up to trouble prosperity and Mr. Hoover. It brought to bear ideas rather than echoes upon an event of the first importance.

But revitalizing and seeking new points of view upon public affairs is by no means the sole nor even the primary concern of the journal of ideas, if we are to believe the evidence of its tables of contents. Its broad and ambitious program is to develop the whole field of human relations; in its pages, freshly and interestingly presented, pass in review the ideas of men and women who have something new to say. The editor remains a sort of impresario who arranges the programs and calls the entrances of his players. Often he suggests the subjects of their pieces, but he never dictates the lines. Thus the journal of ideas becomes his own expression only in so far as it marks the range of his interests. The range of his interests is the measure of his editorial leadership.

Now this choice of speakers and subjects has always been an editorial function, but choosing to develop the world of ideas rather than to follow the marked-out trends of the world of facts is a new development in the world of the press. It is not that this particular type of article is new. A glance through the files of these same magazines or their predecessors twenty years ago will confirm its occasional presence. But in the older day it was by no means so apparent as marking the mood of the editor. It stood out generally in juxtaposition with a pleasant illustrated travel article on the South Seas and a personality sketch of the new Secretary of Labor. It seemed to have found its way there more by chance than by design. Today it is fast becoming the dominant characteristic, and in recognizing it the editors are showing the measure of their confidence in an intelligent, curious America. "What is it all about?" their readers have been asking. And here, in the journals of opinion, is written as much of the answer as the editors are willing to suggest.

It is this eagerness upon the part of the editors to find answers for their readers which marks their recognition of the modern temper. For they are unwilling to say, "This is right," and "This is wrong." Instead they have phrased their replies, "I don't know, but here is what one person thinks about it and here are the conclusions of another." And the adoption of this scientific point of view in a questioning age is turning readers to them for counsel.

There is another implication in this sort of journalism which accounts in a measure, for the shifting of authority from the newspapers to the periodical journals of opinion. For it demands an editorial conception which has been the spring of the newspapers' influence and which, in an era of big business, they have been largely forced to discard. It demands a journal which is essentially the organ of personal, individual effort, dominated by the point of view of a single man or a small, unified group. Now this is possible with the magazines in which a single man or two or three can select and prepare the entire contents of an issue, as it is no longer possible with the newspapers. Nor is the unity of a magazine troubled by the division of purpose which confronts the newspapers.

The newspaper's function is not only to comment upon important issues of the day; it must report details of the events before it may comment upon them. And the very honesty of the press lies in giving full and unbiased reports of the news of the world. There has been a change here. Formerly it was journalistic license to editorialize the news—alter it to suit the purposes of the paper's policy. But forty years and more ago, honesty descended upon the news columns of the press. Editors assumed the responsibility of accurate reporting in their news stories and reserved for their editorial pages whatever twisting of issues and events might be necessary to bring them into conformation with the exigencies of policy. And while there is an attempt in reporting much of the important news to relieve it of unadorned drabness through signed stories admitting somewhat of the personality of the writer, it is still impossible to carry the imprint of a single personality through the news columns of the press. But there is more to this division of purpose than that. For in selecting those items in the news for his front page which seem to him most significant, the editor places upon himself something of a compulsion to comment upon them editorially. If they are important enough to be featured, then they are important enough to deserve comment.

But the magazine editor has no such compulsion because he has no division of responsibilities. He may devote an entire issue of his magazine to a Presidential campaign, or to a discussion of astronomy—as it pleases him. If he finds nothing which appeals to him as significant in the news of a particular month he is free to ignore it and search elsewhere for his ideas. He is, in other words, free to lead his readers into those paths which he considers fruitful.

It is significant to observe in this connection that the editorial is beginning to disappear from the periodical press, that the editors are discarding it to give over their pages almost entirely to discussions by contributors. Perhaps it is because of a feeling that the space one can afford an editorial is too limited for rounded discussion. More probably, however, it is that the editorial is in a sense out of step with the temper of the articles in the magazines. For the very nature of an editorial is its definite judgment. And if the scientific, questioning point of view is dominant throughout the articles which the editor has chosen, his own finality of judgment seems out of place. For the modern method in editorial leadership is an inductive one. The editor no longer cries pronouncements from an editorial page; he marshals ideas from here and there across the world and gives them to his audience to think about.

The acceptance of this inductive leadership in journalism, it must be apparent, is one of the most healthy indications of America's intellectual progress. Perhaps, as Mr. Hoover has said, the contemplation of more spiritual things depends upon a certain leisure which only material prosperity can give. And so it is natural that the new journalism should grow more solid, more sure of itself, during the half dozen years, since recovery from the test in 1920 and 1921's depression, confirmed the Nation in its prosperity. At any rate, the trend is increasingly apparent. To recognize it is in no sense to cry the decline of the press. Big business has turned the development of the one away from paths still open to the other.

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The Trend of Events

Experts Call It a Day

AT THE CLOSE of the World War the Allied Governments went to work with scratch pads and added up their combined claims against Germany to about $125,000,000,000. They soon discovered that to set this sum was not to collect it. Under the pencils of the Reparations Commission created by the Treaty of Versailles the total dwindled to $32,000,000,000.

Germany insisted that even this was more than she could pay. The Allies, led by France, replied that Germany did not want to pay. After France invaded the Ruhr in January, 1923, and announced that she would stay there until Germany discharged her obligations, it was sensibly decided to take the reparations question out of the hands of politicians and submit it for settlement to a group of experts. Thence came the Dawes plan, admittedly a stopgap. The Dawes plan set no total; it merely provided for annuities rising to $600,000,000, the present figure, and remaining there indefinitely.

Early this year another committee of experts assembled at Paris, with Owen D. Young as chairman, to carry the work to completion. The Young plan, outlined in these columns last week, provides for thirty-seven annuities averaging about $490,000,000, twenty-one averaging $408,000,000, and one of $216,000,000. The present value of the debt is about $9,000,000,000. One important result of the experts' work is the organization created to handle the transfer of reparations, the so-called Bank for International Settlements. Yet imperfectly understood, the bank, apparently, will persist as an International Necessity long after the reparations period is over.

For thirty-seven years the Allies will pay to the United States, in settlement of their war debts to this country, about 65 per cent. of all they receive from Germany. For the rest of the time they will turn over to the United States everything they receive from Germany.

A separate agreement provides that, if the United States should cancel any part of the Allied debts, two-thirds of the benefits would accrue to Germany. Somehow it is hard to imagine that payments will be flowing regularly from Germany into the Allied countries and from the Allied countries into the United States a full half-century hence.

Dr. Work Resigns

IT IS POSSIBLE that Dr. Hubert Work, resigning as Chairman of the Republican National Committee, felt that his ten years of service to the party and the Government entitled him to a rest. Certainly Mr. Hoover ought to be satisfied with the outcome of the contest Dr. Work had the honor to manage, if in name only. But political observers recall the many blunders Dr. Work committed during and after the campaign, and the obscurity into which he had been allowed to fall by Mr. Hoover.

Harris-Ewing

WORK OUT

Resigns as Chairman of Republican National Committee

Made chairman as a reward for his declaration for Hoover at a time when other Cabinet members were awed by the prospect of Coolidge's desire for a third term, he was never *en rapport* with his leader.

There were disagreements between Mr. Hoover and Dr. Work over tactics and personnel from the first, and the chairman was in almost continuous rows with Moses, generalissimo of the Eastern front, and Good, who had charge of Chicago headquarters. Many embarrassments were charged to him. He issued a strategic denial that Mrs. Willebrandt's religious speeches were sponsored by the National Committee, a denial somewhat too thin to be believed. There were controversies over publicity, there was vacillation, there was squabbling, and it was several months before the Republican organization was ready to function at all. Had the campaign been close, some of these mistakes might have proved serious.

Worries were forgotten in the happy days that followed the election. In a public statement the chairman foresaw four years of strengthening the party and preparing for 1932. There was no talk or thought, apparently, of resignation. But troubles piled up again. Dr. Work disagreed with Colonel Horace Mann over reformation of the party in the South, and Mann felt obliged to sever all connections with Republicanism. It soon developed that Southern Republicans preferred the Mann to the Work policies, and the administration found itself in an embarrassing predicament. Dr. Work became almost an exile from White House and political circles, quite out of it.

Pending the appointment of a successor, who is expected to be a close associate of the President, Mr. Hoover will depend for political advice on Postmaster General Brown, Secretary Good, and James Francis Burke, general counsel of the National Committee.

Politics in Virginia

BISHOP JAMES CANNON, JR., is turning against his enemies the sword with which he helped to split the Democratic party in the South. Unless Democratic leaders of Virginia who supported Smith apologize for referring to the Bishop and his political flock as "traitors and bigots" he intends to use his influence further to disrupt the party. Those against whom he is moving are Senators Glass and Swanson, Governor Byrd, and the three candidates for the Democratic gubernatorial nomination. None have repented their support of Smith.

He will not rest, he declares, until these men repudiate their position and the Smith-Raskob group is driven from control. The course he outlines for his followers is "to remain as independent Democrats, declaring that, while we are

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not Republicans, yet it is impossible to accept the present State or National Democratic leadership, with all that would be implied by such acceptance under present conditions."

Specifically, he has recommended a convention of anti-Smith Democrats on June 18th to nominate for State offices only those who in 1928 "openly placed moral principles above party regularity," and who, refusing to support Smith, spoke against him and "his betrayal of the Democratic party."

Bishop Cannon believes that Virginia's Democratic leaders might again support a wet, were one nominated in 1932. But he hopes to throw the fear of the drys into them by defeating their State ticket this fall and threatening Senator Glass in his campaign for re-election next year.

Virginia politicians admit fear of the Bishop's program. That he can carry the State against a Democratic gubernatorial candidate or against Glass is doubtful, but he might eventually turn several Congressional districts into the Republican column. Unless he succeeds in his present undertaking, he may eventually ally himself and his followers with the G. O. P. The Old Dominion Democratic organization bears many scars, and, with the Bishop pouring acid on them, they may become serious wounds.

Politics in Kentucky

On November 6th Hoover carried the Third Congressional District of Kentucky by 15,000, and swept the candidate for Representative into office by 4,000 votes. Hence the recent bye-election in that district occasioned by the victorious Congressman's death was anxiously awaited for what light it would throw on the permanency of Democratic defection.

Apparently there's life in the old Kentucky party yet. Enough Democrats returned to the fold to elect their candidate, John W. Moore, by 1,200 votes—an overturn of 5,200 votes in seven months. It is not the largest or the smallest Democratic plurality in this district, carried by the Republicans only four times since the Civil War. But it approximates the margin by which popular Democratic candidates have won in the past, and it satisfies the party leaders.

Republicans were unsuccessful in attempts to rekindle the fires of religious and prohibition prejudice. There was no Smith to point at as a bogey man. Without distracting issues and personalities, the Democrats were willing to go back to their party. It is possible, however, to exaggerate the result. No National issues were involved. Moreover, Moore was the better-known candidate and had sat in the House before.

Republicans are cheering because of their victory over the widow of the late John Joseph Casey of the Twelfth Pennsylvania District. But the two trials of sentiment are nowhere parallel. Representative Casey was one of the most popular politicians in the State, enjoying in recent years the nominations of Democratic, Republican, Labor, and Socialist parties. Not even his widow could follow in his footsteps, although she was defeated by only 600 votes.

Underwood

BISHOP JAMES CANNON

Virginia leader of Dry Democrats believes Smith betrayed his party in 1928

Vision by Invisible Rays

There is a class of inventors who delight in employing a number of rather basic principles of the physics laboratory to create bizarre effects. Their latest wrinkle is to send talking motion pictures to our homes over an invisible ray or beam of ultra-violet light. The invention is not nearly so startling to the scientist as it seems to the press. There is no new principle in it, though working out the technique must have given the inventor, Paul A. Kober of the United States Radio and Television Corporation, plenty of typical inventor's troubles.

There is no essential difference, no different kind, but merely a difference in wave length, between the ether waves already used in radio broadcasting and the vastly shorter ones of ultra-violet light. Mr. Kober hopes to send the ultra-violet light as a fixed beam from a broadcasting point to our receiving sets. Beam wireless, in which the waves go from, say, England to Australia in beam form, does not differ essentially from this.

Therefore we now have left the question how to send movies and talkies over any kind of ether waves. The answer is that we already send the talkies, that is, common radio; and television pictures are also being transmitted daily by the same medium. The rest is a matter of synchronization of the two.

We do not wish to attempt to explain Mr. Kober's invention entirely away, just because the word ultra-violet is at present in style, and because it has certain linkages with scientific "magic" and has been much used of late. There is no reason why his method should not be widely employed, though it is difficult to see how he will send his beam around obstacles—for ultra-violet light is but poorly reflected by mirrors and for all practical purposes it is nonpenetrative.

Snobbery

Having delivered a tip on getting ahead in the world to Massachusetts Institute of Technology seniors one evening, Professor Robert E. Rogers awoke next morning to find himself in headlines. He had advised his listeners to be snobs; to be clean-collared and calculating; to seek in marriage the languid hand of the boss's daughter rather than the capable one of his stenographer. "Horrors!" cried most of the commentators on this message. "Bravo!" piped an intrepid few.

Professor Rogers is a realist. So are thousands of American parents who bend all their energies to devising ways and means of moving to better neighborhoods, buying more expensive cars, joining country clubs, and increasing their children's cultural and social advantages. Like one of the commentators on Professor Rogers's speech, they believe that "You get what you get through the people you know, even though you keep what you get through your own ability."

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Commentators on the other side, clinging to the better-mouse-trap formula for luring the world to the door, may be right also. They may be realistic also. No single success program can have more than limited value, for none covers more than a small part of the ground, and all reckon without the important element of sheer luck.

"Snobbery," however, in this case, is not so heinous a word as it sounds. What Professor Rogers meant, he later explained, was that graduates should be aware of the social privileges as well as the technical proficiency college training has given them. The college graduate, he says, is the improved product; let him speak, think, and act like one.

▶▶Britain and Disarmament

THE APPOINTMENT of Miss Margaret Bondfield as Britain's first woman Cabinet Minister has been widely noted in the United States, as has the comeback of Mr. MacDonald himself. But on the whole America is more concerned with the problems than with the personalities of the able and well-received Labor Government.

The question of British recognition of Soviet Russia immediately came to the fore when the exiled Leon Trotsky asked Premier MacDonald for permission to visit England. Of more pressing importance to Great Britain is the problem presented by the 1,500,000 persons out of work. J. H. Thomas, head of the Railway Men's Union, will tackle this problem as a sort of Minister of Unemployment. An economic inner Cabinet, assisted by technical advisers, will aid him.

It is well known that Mr. MacDonald lays much emphasis on foreign policies and that he favors more friendly relations with the United States. Americans, remembering that foreign Governments are supposed to be considering the American plan for naval disarmament recently submitted at Geneva, observe approvingly that the new Premier considers disarmament a problem of "overshadowing importance." It is confidently assumed that, with Mr. MacDonald at the helm, preliminaries aimed at a reduction in sea forces will advance rapidly after Parliament assembles on June 25.

Captain Dudley W. Knox, head of the United States Navy Department's historical section, declares that foreign propaganda has had much influence in shaping the American attitude toward disarmament in recent years. That may well be doubted. The public attitude is shaped partly by the widespread, if somewhat reckless, opinion that to reduce armaments is to preserve peace. It is also shaped by the knowledge, odious to taxpayers, that armaments come high.

Naval disarmament is a question to be settled primarily by Great Britain and the United States. Hence news of the Labor Government's position on the question is gobbled down hungrily in this country. Americans, however, might well restrain their eagerness for a British-American disarmament accord with the reflection that Labor lacks a majority in Parliament. It can bring into being no policy opposed by Liberals and Conservatives.

"BE A SNOB"
Professor Robert E. Rogers advises young men who wish to get on

▶▶Seats in the House

AFTER NULLIFYING the Constitution for almost ten years, both houses of Congress have enacted measures for the redistribution of seats in the House in accordance with the population of the States as revealed in the census of 1930. This was not done without ugly sectional warfare. In the House an attempt by Representatives of Middle-Western and Southern States to exclude aliens from the total on which representation is based momentarily prevailed, as did a retaliatory effort by Representatives of Northern and Eastern States to exclude Southern Negroes who do not vote. For forty-eight hours hostility between city and country, farm and factory, native and newcomer, openly showed itself in Congress.

The House did a good day's work when it struck these two amendments out of the reapportionment measure. Their rejection was not accomplished without parliamentary maneuvers which on the Republican side provoked mutterings of revolt against the Longworth-Tilson-Snell machine. Yet if the grumbling of Representatives from States now enjoying disproportionate representation foreshadows a rebellion against the new "Joe Cannonism," its leaders can be content in knowing that this time their machine operated in a good cause.

The vigor with which the bill was fought testifies to its importance. Behind the opposition of the rural, agricultural States, which have increased slowly in population while the urban, industrial States have grown rapidly, was aligned the Anti-Saloon League and the Ku Klux Klan, which fearfully recognized the effect of reapportionment upon their policies. As the result of reapportionment, votes in Congress upon prohibition, immigration, and allied subjects will increasingly reflect an urban, rather than a rural, an industrial, rather than an agricultural, background. As a result, also, truly representative government will be re-established.

▶▶Relieving the Farmer

THE WAY WAS PAVED for farm-relief legislation which the President could approve when a House-Senate conference committee agreed to eliminate the export debenture plan. Tied into the farm bill in the Senate chiefly for its political significance, this plan represented the last of the farm bloc's eight-year efforts to impose its will on Congress.

Placing a bounty on the export of agricultural products, the debenture scheme would have tended to increase rather than reduce production and thus to add to the crop surpluses which constitute agriculture's primary problem. It might also have most helped, not the farmer, but his ancient foe, the middleman, who might have profited heavily from the collection of Government bounties equal to half the tariff on agricultural products shipped abroad.

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Even the farm-aid methods proposed by the Administration may only with great difficulty achieve their purposes. A Federal Farm Board is authorized to assist in the marketing of surplus crops. Will it be better able than the individual farmer to market the wheat crop so as to prevent such demoralizing breaks in price as occurred two weeks ago?

Will the financing of co-operative associations by the Government so that they can take surpluses off the market raise prices to profitable levels, or will surpluses continue to exercise their depressing influence, whether stored in warehouses built with Government funds or in elevators privately owned? If the production of wheat continues at its present rate, will the Board exercise its power of withholding funds, as it may in the case of a crop of which a surplus is commonly produced, or will it honor this rule more in the breach than in the observance?

The farm relief bill represents the desire of the country to maintain the farm at its present status as long as possible against inimical economic forces. The Hoover Administration, undertaking the task, seems launched upon another experiment, the outcome of which remains to be seen.

▶▶*Equity Talks Turkey*

WILL H. HAYS and his band of movie men toss on their pillows these nights. French producers, having decided upon a four-to-one instead of the present seven-to-one quota, have been showing signs of sticking to their decision. Refusing to accept one French film for every four, instead of every seven, American films sent to France, our producers may have to abandon the profitable French market.

On top of this comes the Actors' Equity Association. It was inevitable that, when actors set out for Hollywood, Equity would follow after. It was also inevitable that movie producers would be cold to the uninvited guest. Cecil B. De Mille, president of the Motion Picture Producers' Association, intimates that he wishes Equity's president, Frank Gillmore, and his announcement of an Equity shop for sound and talking pictures, would fly away home and stay there.

Hollywood will hardly be able to shoo Equity away completely. It must have stage stars, if it is to produce talking pictures of the greatest merit and box-office appeal, and most of these are Equity members. Moreover, Equity is an excellent disciplinary as well as a protective organization, of benefit both to employers and employees. The contract under which the Association asks "talkie" members to work hereafter provides for a forty-eight-hour week and pay for rehearsals and overtime, reasonable enough requirements. Though it is understandable that picture directors should rebel at Equity's "closed shop," permitting members to play only in all-Equity casts, the difficulties of a Hollywood partly organized and partly unorganized are obvious.

With so vast a public waiting to see and hear its stage idols on the screen,

Wide World

MINISTER OF LABOR

Miss Margaret Bondfield, first woman appointed to a British cabinet, is member of MacDonald government

it should not be hard for Equity and Mr. Hays to reach a satisfactory agreement. Let the talkies be unionized if they must, and if "shots" of the moon, like those lately exhibited at Princeton University, are required, let the Man in the Moon join the union, too.

▶▶*The Prohibition Stew*

THE PROHIBITION POT keeps boiling as the Hoover Law Enforcement Commissioners dip inquiringly into it. Many and diverse are the ingredients lately added to the steaming stew.

In New York City the Public Library —*mirabile dictu!*—has, technically at least, been made co-defendant in a padlock action against a night-club; it is landlord of the premises on which the club is situated. In the same city a French nobleman, of the ancient De Polignac house, and more than three score Americans have been arrested, charged with conducting a huge and high-toned liquor ring.

In Virginia a jury has been unable to agree on the guilt or innocence of a deputy sheriff tried for the murder of a college student said to have been riding in an automobile which the officer suspected of transporting liquor. In Illinois a legislative committee has asked for another Grand Jury examination of the De King case in Aurora. Mrs. De King was killed during a dry raid on her home, but the raiders were exonerated in a recent Grand Jury investigation. The legislators find that the jurors were given inadequate, distorted, and prejudicial evidence.

From Washington, D. C., issue Department of Justice statistics showing that 27,575 prohibition cases were instituted in American courts during the first six months of 1928. There were 23,683 convictions and pleas; fines totaled more than $3,000,000, jail sentences more than 3,000 years. All this occured despite a thousand appeals to citizens to obey the dry laws. Will the latest appeal, signed by Henry Ford, Captain Dollar, and 22 other prominent business men, prove a whit more effective than its predecessors?

Many prohibitionists who once cheered Mr. Hoover's plan to transfer dry enforcement to the Department of Justice are less enthusiastic now that Mrs. Willebrandt has resigned. The President has asked Congress to appoint a committee to determine the best method of administering prohibition enforcement, having an eye to concentration of work and responsibility now divided among several bureaus.

Washington has been this way and that way over the drying up of the British Embassy. Sir Esme Howard, British Ambassador, having been badgered by unreasoning drys, will sign no more requests for shipments of liquor to members of his staff. Other diplomats intimate that they do not intend to follow Sir Esme's move. Wet, they intend to remain so, as they have every right to do. In every country embassies are regarded as foreign territory.

Thus the latest developments under the Eighteenth Amendment, the "moral miracle of this country," as Clarence True Wilson, chairman of the Methodist Prohibition Board, calls it—quite without irony.

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Old Enmity Settled

On June 7th Mussolini left at the Vatican a copy of the Lateran treaties signed by the King. He received a copy signed by the Pope. The exchange marked the birth of the Vatican City State. The 59-year-old conflict between Church and State in Italy is at an end.

At least, for the time being. On the interpretation of the treaties Pius XI and Il Duce are miles apart. Mussolini's recent interpretation before the Chamber of Deputies brought a rebuke from the Supreme Pontiff. The Premier repeated his views in an address before the Senate. Pius replied in a lengthy open letter to the Papal Secretary of State. The dispute is no longer confined to a difference over the function of the Church and the State in education.

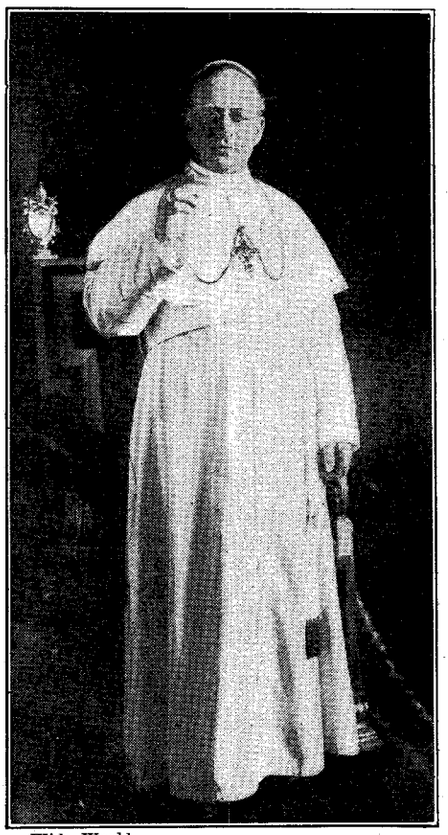
The Pontiff complains that the sovereignty, independence, and rights of the Church are repeatedly placed in doubt by Mussolini. He grants that under the treaties other religions will be allowed to exist in Italy but emphasizes the idea that Catholicism is the State religion, and not merely one among many. He disapproves of Mussolini's statement that Italy must enjoy full liberty of conscience and discussion. He lays stress on the rights of the Church in marriage. He finds that Mussolini's whole attitude toward the Church is unsatisfactory, that the Premier has made statements which are "heretical and worse than heretical." He declares that the Concordat—fixing the status of the Church in Italy—and the Treaty of Conciliation must stand or fall together. He hints that, if the letter and spirit of the Concordat are violated, the Vatican may regard the Treaty as null and void.

Nevertheless, he predicts that the newly-made peace between Church and State will endure. Since his conflict with Mussolini did not prevent ratification, he may be right. Apparently neither side will let comparatively minor disputes imperil the historic settlement as a whole. Nevertheless, it is plain that clashing interpretations may lead to grave difficulties when the terms are actually applied.

Old Enemy Revives

Mysterious are the ways of volcanoes. It is not surprising that, during the recent outburst from Italy's storied Mt. Vesuvius, some of the villagers endangered by fiery streams of lava organized propitiatory processions. It is not strange that they attributed their escape just when danger seemed greatest to intercession by a patron saint.

The peasants were confronted by a black unknown: no earthly force could prevail against it. There are some things before which even the power of Il Duce gives way. Present-day efficiency evacuated the threatened hamlets with a dispatch which shamed a similar evacuation in Bulwer-Lytton's "Last Days of Pompeii." Beyond that it could not go.



Wide World

PIUS XI

Head of new sovereign, independent Vatican City State

Why do villages crop up, only to be wiped out, and then crop up again at the base of the ill-natured mountain? It is not because the peasants delight in living dangerously. The richness of the soil—the region is famous for its wines—provides one answer to the question. Human nature provides another. Simple men refuse to believe in tomorrow's danger when life moves placidly today. This time, even when Vesuvian wrath was nearly upon them, many villagers refused to credit their senses and had to be forcibly removed from the danger zone. Now those who lost their homes will return and build new ones.

Science, which can foretell an eclipse of the sun to the exact minute, makes but slow progress in diagnosing the interior commotions of live volcanoes. A far-reaching inquiry into the causes of earthquakes has just been undertaken under the auspices of the Carnegie Foundation, which will send experts to Africa, the Himalayas, and the craters and cones of Java. Possibly their report will shed some light on the secrets of frowning Vesuvius.

Safety at Sea

The summer tide of American tourists to Europe rises; the number of American investors in shipping increases. Both considerations bring home to this country the importance of guarding the lives and property of those who travel ocean highways.

Delegates from eighteen maritime nations to the London Conference for Safety of Life at Sea wasted no time. Setting themselves with a will to cracking technical nuts, they produced and unanimously adopted a new international safety code which goes further than any other ever devised and should benefit the entire seafaring world.

Considering every ship a potential lifesaver, the conference stipulated efficient wireless equipment for all vessels of more than 1600 tons. Qualified operators, abetted by automatic alarms, are provided for, to secure the maximum hours of watch-keeping on a maximum number of ships. Life boats are insisted upon for all passengers in ocean-going ships; stricter navigation regulations have been drawn up, with emphasis on a systematic manner of collecting and disseminating weather reports. New rules for internal construction of ships include arrangements to prevent the spread of flood or fire through minor mishaps.

The conference agreed to continue the international ice patrol, which functions under American auspices with costs apportioned among the several maritime powers. Its efficiency was demonstrated anew just as the conference endorsed it, when its warnings to ships plying the North Atlantic kept them comfortably out of danger from icebergs.

In Brief

President Hoover declares that there has never been a campaign conducted

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"upon a higher plane [than that of 1928] or one that has proved itself so far above all criticism." Mr. Hoover has frequently been called a great executive and a great engineer, but this is the first time he has revealed himself as a great humorist . . . Jury shadowing conducted for Harry F. Sinclair will cost that gentleman six months in jail after he has finished his present term of three months for contempt of the Senate. Receiving this news, an ordinarily sentimental country demonstrated pronounced ability to restrain all signs of tears . . . Apropos of the Republican party, the oil scandals, and so on—have Democratic orators noted that the house in Ripon, Wisconsin, often called the Republican party's birthplace, was once the home of George W. Peck, of "Peck's Bad Boy" fame? . . . An authority denies the prevalent belief that the handling of toads may cause warts. This, however, will in no wise affect the prevalence of the belief . . . "Scarface Al" Capone has made a noteworthy contribution to a Philadelphia hospital—a contribution, it should be added, in dollars, not patients . . . Darwin's home in England has been restored and opened as a museum. It is understood that little or none of the cost of restoration was met by subscriptions in Dayton, Tennessee . . . George W. Wickersham finds that "that part of the community who have most at stake in the preservation of law and order themselves are preaching and practicing an open disregard for certain laws." Why do speakers say "certain laws" when they mean nothing on earth but the prohibition laws? . . . A clothier predicts that the legs of well-dressed men of 2029 will be uncovered from ankle to knee. A single glance at a busy bathing beach makes us hope the clothier was not in earnest . . . City planners will be interested to note that a drive in New York City for the removal of elevated railroads occurs just as work is begun on a great elevated motor road.

The Week's Press Opinion

EUROPE has been filling the foreground of the American daily editorial page lately. If it is not the British elections, then it is the decision about reparations; and if it is not reparations, then it is Mr. Hoover's talk about peace pacts and naval armaments; and if it is not Mr. Hoover's Memorial Day Speech, then it is the effect of tariff rates on foreign relations, especially European relations, though Canada and South America come in for attention here; and if it is not the tariff, then it is the British elections again.

Sinclair's second jail sentence, it is true, has had the attention that Americans are expected to give to a million dollars, especially a million dollars behind the bars, and has helped to restore the somewhat shaken confidence in our courts. Professor Rogers's advice to the students of the Massachusetts Institute of Technology to emulate the snob has called forth comments that vary according to the several editors' sense of humor. And prohibition furnishes topics for editorials as usual. But the main interest of the American press in the early days of this month has been focussed on affairs abroad.

The British Labor Party's success has been almost uniformly welcomed. The Conservatives' attitude to the task of naval reduction has apparently irked the American press, and presumably the people of this country. Now that MacDonald and his associates are to form and try to carry on a Government, there is renewed hope of an agreement between Great Britain and the United States for lessening the naval burden.

Socialism, which is a red rag to many American editors when it is flaunted in this country, has no terrors for them when it appears in Europe. Besides there is a general feeling that English traditional common sense is stronger than any theories that English parties may profess, however radical. Indeed some papers see in the English Labor party's Socialism only a humanitarianism that in this country we should call "progressive." And with Hoover in the White House and MacDonald at Downing Street there seems to the press a chance for Anglo-American understanding that was lacking between Coolidge and Baldwin.

Incidentally there is admiration for the speed with which the English can change their public servants and at the same time the good sense which the English display in not pitching defeated leaders into outer darkness as we do. There is some envy of England's governmental system in the hearts of American commentators; but it is qualified by the thought that in the United States we are never in danger, as they are in England, of having two national elections in one year. As for the trouble involved in having the balance of power resting in a small minority, there seems to be a stand-off between the two countries for Lloyd George's party is seen to be no more of a thorn in the side of British parliamentary government than the Senate insurgents are in the American body politic.

It is with more than complacency that the press in this country views the settlement of reparations. That it is a settlement, though the Governments involved must still agree to the report of the experts, no one questions. It is commended, and the American experts in particular, Messrs. Young, Morgan, Perkins and Lamont, are praised, not because the arrangement is logical, for it is not; nor because it is final, for it may be modified by experience; but because it cures the war psychosis. Amer-

Remarkable Remarks

The United States should have at least one woman Ambassador to an important country, if only to prove that women have more common sense than men.—ARTHUR BRISBANE.

Dress, speak and act like a gentleman and you will be surprised at the amount of murder you can get away with.—PROFESSOR ROBERT E. ROGERS.

Be a gentleman and you don't have to get away with any thing.—DR. HERMAN H. HORNE.

The Casino's new management is trying to give the place an atmosphere of the Continent and if the guests are continent, that will be a novelty for a New York night place. —EDWARD HOPE.

The Church is not ready for any plan that may be offered, from any source, as a sustitute for prohibition.—DR. F. SCOTT MCBRIDE.

This is the languid generation. It possesses no vital interest in anything save a certain vague loose tolerance. — REV. DR. RALPH W. SOCKMAN.

It is common knowledge that the ministry no longer can pretend to intellectual leadership in any branch of human knowledge.—GEORGE W. WICKERSHAM.

Some women have to keep their husbands broke in order to keep them faithful.—MRS. WALTER FERGUSON.

A philospher can stand anything including even love.—H. L. MENCKEN.

We financiers have every reason to be surprised at Carter Glass. Who called that piccolo player a statesman?—HEYWOOD BROUN.

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ica may later have to bear most of the war costs—that is regarded as possible; for the debts may be scaled down. But the American press seems to have come to the conclusion that whatever America may have to sacrifice will not be so great as the continued burden of an unliquidated war.

Similar is the attitude of the press, without much regard to party, towards the tariff. High protectionists can find small comfort in editorial pages. Good will abroad and a livelier trade will, it is generally felt, be a better protection now than a high tariff barrier. At least the press looks to Mr. Hoover to stop Congress from making the present barrier any higher.

If the press represents public opinion, Americans have concluded that it now makes a good deal of difference what "abroad" thinks.

Back Stage in Washington

WASHINGTON, D. C.

WE REGRET that we cannot take a rosy view of Raskobian plans for rehabilitation of what was once known as the Democratic party, and we discover that spokesmen for the still embattled forces of North and South share our pessimism when they discuss the matter in private. Mr. Raskob, whose personal charm cannot conceal his political innocence, seems willing to bury the axe that swung so red within his battlelines last fall, and has hopes that his Democratic enemies will participate in the ceremonies. They will, we hear, but only to sink the axe still deeper into the same heads that moved four Southern States to wrath and Republicanism on November 6. With a few notable exceptions, such as Bishop Cannon and Tom Heflin, all is quiet on the Southern front, but Mr. Raskob should not mistake sullenness for acquiescent silence.

Mr. Raskob apparently feels that his truly remarkable achievement of cutting the Democratic deficit from $1,500,000 to $350,000 may win him the good will of Southern and anti-Smith people. We fear that he was never more mistaken in his life. The Southerners frankly admit that they do not desire his retirement from the national chairmanship to which he was assigned by Alfred E. Smith. Even though the wet and religious affiliations of Raskob and Smith are not to their liking, they are agreeable that the Northern and liberal wing shall retain control for a while. Not, however, in the belief that Raskob can reunite their shattered party, but solely in the expectation that he will wipe out the rest of the debt. Unrelenting they may be in matters political, but they are canny and cautious in financial dealings. Meanwhile, they keep their cash and their thoughts to themselves. We feel sorry for Mr. Raskob, whose earnestness in the work of rehabilitation seems genuine. So sincere and unselfish seem his efforts on behalf of his new-found party—he was a Republican until last summer—that we wish him well. We cannot, however, mistake the meaning of the silence of Senator Simmons of North Carolina, the oratorical hostility of Heflin or the recent circuit riding of the good Bishop of Virginia, the Rev. Dr. Cannon.

We are still awaiting some sign of inspiriting action from Jouett Shouse, the breezy Westerner whom Mr. Raskob has installed in charge of permanent party headquarters at Washington. Mr. Shouse, we learn, comes well equipped for the work of co-operation, since he is an excellent host—his dinners are becoming as popular with the press as those at the White House—and liked by his fellows in the various wings. He is to have plenty of money, of which there seems no lack in Raskobian circles, and to spend it in telling the country what it ought to know about the great services of the Democratic party, especially in Congress. Now, we do not mean to be sarcastic, but he can perform a valuable mission for his party if he says nothing about Democratic principles or statesmanship as exemplified in the House and Senate. Rarely have we seen such evidence of dumbness and desperation in a great political group as we have noted on the minority side of the aisle. In the debenture battle they supported the scheme, even though it ran counter to their traditional principles. Eventually, as they might have foreseen, their Republican allies deserted them, and they emerged as foolish and futile statesmen. Their showing in the matter of the Lenroot confirmation was even less heartening to Messrs. Raskob and Shouse, to our mind. Although the issue should have been one to unite the Democrats, enough of them combined with standpat Republicans to confirm the appointment. If we are to believe reports reaching us, there will also be sufficient Democrats to obtain passage of a prospective Hawley-Smoot tariff measure that should outrage every descendant of Jefferson, Jackson, and Cleveland.

Britons never shall be slaves

If Mr. Shouse would study a sample of Democratic unity, let him ponder on the behavior of the two Senators from Smith's own State—Wagner and Copeland. The former voted against the debenture, while the good doctor supported it, although he said he must seek hygienic safety by "holding his nose."

We have not even mentioned the richest apple of discord—prohibition. But we have noted spectacles in which Tammany Democrats have denounced the killing of bootleggers by dry agents as "murder," whereas the Bible Belt Democrats have lifted their eyes and praised the Lord that the enforcement officers' hearts—and aim—were true.

We do not mean to be extreme in our criticism of the minority party, and we hope it will become better and stronger before it gets worse. For never did the G. O. P., for its own sake as well as for the public interest, stand in more need of the checks and restraints of a powerful and united opposition. Moreover, we realize that the majority, entrenched though it is in all branches of the Government, has displayed little unanimity of action or attitude. In fact, the two major parties, as represented in Congress, remind us of a pair of punch-drunk boxers carrying each other along until the bell rings, and hoping that their tactics will fool the voters on the day when they give the great decision.

A. F. C.

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Religion and Birth Control

An Editorial by Harry Emerson Fosdick

EVIDENTLY it is high time for those whose dominant interests lie in the realm of ethics and religion to be outspoken about the vexatious and highly controversial subject of birth control. Who inspired the recent raid upon the Birth Control Clinic in New York has not been publicly disclosed. It is significant, however, that powerful religious interests are commonly suspected of the instigation, and that in general all but a few religious leaders are antagonistic, apathetic, or timorous about the matter. History repeats itself. In 1755, after an earthquake, a sermon was preached in Boston against lightning rods. "In Boston," the preacher said, "more of the iron points are erected than anywhere else in New England, and Boston seems more dreadfully shaken. Oh, there is no getting out of the mighty hand of God!"

To be sure, birth control cannot be prejudged by an analogy with lightning rods, but the similarity of attitude on the part of the religiously reactionary is too marked to be explained by accident. Religion has so commonly resisted extension of the scientific control of life that it has become a habit.

Birth control arouses to poignant intensity this deep-seated attitude. Contraceptive information, incomplete and uncertain as it may be, gives us new mastery over one of the most intimate and vital processes of our lives. We can have children or not have them; we can space children as we will; if our morals allow or are impotent to prevent, we can contract liaisons without some of the old risk of child-bearing; and in general we are handed an instrument of power capable of affecting deeply personal conduct, ethical standards, family life, and problems of population.

No wonder folks are disturbed! Undoubtedly something has been let loose which will have a far-reaching and penetrating influence.

The first reaction on the part of the fearful is naturally repressive. The idea, however, that contraceptive information, being here, will not spread, percolate into one stratum of our population after another, be used ignorantly or wisely but be inevitably used, is of course unthinkable. The familiar putting of the question, therefore, "Do you believe in birth control?" reflects a serious misapprehension of the issue. Birth control in this regard is much like automobiles. They are not primarily to be believed in or disbelieved in. They are here; they are being used; they will be used. The only real question is, "How will they be used?"

At present, with the optimistic cheerfulness that characterizes prosperous America in dealing with so many of her problems, most folk whom I observe are employing the ostrich policy with reference to birth control. They know it is here. They know that some people who ought to have reliable contraceptive information are not getting it, and that many who have no proper business with it are getting it; and yet they resist with active antagonism or laggard apathy any endeavor to pass decent laws. They sometimes speak as though it were positively shocking to have physicians legally trusted to tell their patients the truth.

As an excuse for this obscurantist attitude one fact can be pleaded: contraceptive information is dangerous. Of course it is. All power is dangerous because it can be misused, and misused power causes endless misery. To suppose, however, that because power is dangerous, mankind, having once gotten its hands on power, will surrender it for fear of its peril, is a vain expectation. From education to airplanes all sorts of things are dangerous that no one is proposing to suppress.

Any minister or physician, who in intimate conference with all sorts of folk discovers what is going on, knows well the manifold misuses to which the new contraceptive information is being put. But the more one knows the more obvious becomes the futility of suppressive measures. Suppression is only befuddling the situation, driving it under ground, preventing healthy and normal ethical teaching about it, and the longer suppression continues the worse the situation is going to be.

Instead of further suppressive measures a positive attitude is urgent, if we are to arrive at any hopeful outcome. For one thing, the constructive social service to be rendered by the right use of birth control is immense in extent and in importance. This should be made a matter of wide-spread public education. The population problem is the basic problem of the world, and if it is not well handled no other social problem can at all be solved. No permanent help can be given to China, for example, until the pressure of her surplus population on the means of subsistence is relieved. And to say that this can be done indefinitely by improving methods of agriculture without lessening the rate of population increase is to fly in the face of known facts.

Sooner or later even the United States will pass its optimum mark in population, after which all increase in numbers will mean decrease in standards of living. We cannot go on conquering famine and scourge, encouraging preventive and curative medicine, quelling war, improving conditions of human survival—in a word, lowering the death rate and increasing the birth rate—without some compensating influence. Birth control is a godsend indispensable to the world's future. What is needed is not suppression of the information, but wise instruction as to its meaning for the race.

As to immediate measures of philanthropy, a well-instructed person who knows the problem presented under present economic conditions by the old and much-lauded household of a dozen children, must welcome the relief offered through contraceptive information. A huge family of children under present conditions is not virtuous but anti-social. To have as many children as can be well brought up, to space them with due regard to the mother's health, to have them come when they are wanted and because they are wanted—to encourage, in a word, a sane, scientific control over this most important part of human life—is the ideal.

(Please Turn to Page 314)

Where Is Mankind Going?

The distinguished contributors to this weekly editorial page constitute not only our list of witnesses to the progress of existence, but its interpreters as well. The Reverend Dr. Harry Emerson Fosdick hardly requires an introduction. Professor Zechariah Chafee, Jr., of the Harvard Law School will be the next contributor

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Oh, For a Habibullah!

By T. R. YBARRA

PARIS.

NO MORE European clothes in Afghanistan! Back under the turban, Afghan men! Back behind the veil, Afghan women! King Amanullah, who went to Europe and fell in love with high hats and morning coats and patent-leather shoes, has been driven from his throne because of his non-Oriental leanings in clothes. Queen Suriya, who dared appear in Kabul with a Paris frock and without a veil, is Queen of Afghanistan no more.

She and her spouse are somewhere on non-Afghan soil, trying to make the wonderful things sartorial they bought on their European tour compensate them for the throne from which they were toppled so ingloriously by the Afghan Conservatives. Habibullah, leader of the Die-Hards, champion of Veils-for-Women, now lords it over the land where once Amanullah and Suriya held sway.

The clock has been turned back; for once the Old has vanquished the New! And many an American visitor to Europe, breathlessly reading the news from Afghanistan, is sighing to himself: "If only that sort of thing would happen in Europe!"

For there is certainly an opening in Europe today for Habibullah. Perhaps if he loses his job as Ameer of Afghanistan, he can get one over here as L.H.P.P.L.T.P. (Lord High Preventer of People Losing Their Picturesqueness).

For on this European Continent, the goal every year of thousands of American men and women eagerly searching for picturesqueness, the costumes of the natives, once so distinctive of each European land, are growing steadily rarer. Every year more and more of them disappear; every year more and more European peasants are appearing in exactly the same clothes as one may see any day on Broadway or Michigan Avenue. In Europe, "costumes," those garments beloved by tourists, are rapidly receding into the past; soon, at this rate, they will be only memories.

Yes, many an American over here sighs for a Habibullah to force bulging petticoats and pretty head-gear on French peasants; to snatch fedoras from European male heads and substitute hats with tassels on them, and gold braid, and funny brims—such as you could find in Europe a few years ago, a few miles from the beaten track, before country folks got ashamed of not looking like city folks.

But—alas!—instead of a Habibullah, decreeing turbans and veils, we have a Kemal Pasha, ordering the Turks, alike of Turkey in Asia and Turkey in Europe, to throw their red fezzes into the Bosphorus and their long robes and upturned slippers onto the ash-heap and to emulate henceforth the gent who dresses according to the dictates of the Main Street Emporium for Nobby Notions. For the Constantinopolitan of today looks exactly as if that were where he got his clothes. There is a drabness, a would-be cockiness, a lack of style about them which makes the disappearance of the old-time Oriental garb all the sadder.

How many *bonnes* does one see nowadays on the streets of Paris?—those buxom children's nurses, peasant women from far away in the French provinces, preserving intact in their dress the traditions of their great-grandmothers and of generations even further back in the past? Not so many years ago they were to be seen by the dozen; now they are becoming extinct as the dodo.

And where, oh, where, is the London coster, with his buttons as big as saucers, driving, beside the equipages of the great, in his little donkey-cart?

TURN where one will in Europe nowadays, costumes are vanishing; the trend toward dressing like the people in the towns is making ever more serious ravages in villages and countryside. Already the regions where costume really predominates may be counted, almost, on the fingers of both hands.

Holland, for example, still holds out. In that little land, picturesque costumes are still matters of course—especially in Zeeland, where the men wear baggy trousers and short black jackets and the women voluminous petticoats and extremely becoming white headgear, with flounces and gold-pins at each side. There, too, the wooden shoe still clumps happily over the highways.

In Hungary the country-people also refuse to give up their costumes. On holidays they dance merrily in garments flaunting every hue of the rainbow, quite as if Budapest had not a single clothing store to tempt them away from all this old-time finery.

SPAIN, ALSO, is slow in parting from the costumes of yesteryear—and Portugal is obstinate—and, in Italy, people in the country districts still follow the attractive styles in dress handed down from generation to generation. Nor must we forget the Bavarian Highlands, where men still stick things looking like shaving-brushes in green hats, and let their bare knees protrude under leathern breeches, and wear green coats covered with enormous horn buttons, and garnish the whole with a big Alpenstock and flavor it with a bit of Edelweiss.

But in spite of the heroic efforts of conservatives in Holland and Hungary, Spain and Italy and Bavaria, they are fighting a losing fight. It looks as if, before many years pass, Europeans will sink to a sartorial monotony comparable with that prevalent in the cities of the United States. Despite the persistence of picturesqueness in dress here and there, in Europe, those who are really in the ascendancy are reformers like Kemal Pasha—his drastic edict against the fez may have its echo elsewhere over here and make the few European peasants still wearing quaint costumes succumb to an irresistible longing to look exactly like Mr. Bill Whizz, the brash shoe salesman from Kalamazoo.

Why doesn't Mussolini turn Habibullah? Of late he has been worrying about the sort of clothes worn by certain Italians. Why doesn't he decree that every peasant of the Roman Campagna caught wearing a derby, every Neapolitan found being un-picturesque without a license, shall be condemned to castor oil for life? Surely that would bring such a rush of picturesqueness to Italy, such a mad dashing about of *pifferari* and *banditti* and *lazzaroni*, that Italy would be swamped with American tourists and choked with American dollars.

But Mussolini won't do it! It wouldn't be according to the trend of the times! Instead of a Habibullah for Europe, there will undoubtedly be a crop of Kemal Pashas, sworn to frown the few remaining pretty costumes out of existence!

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Beethoven: A Biography

By ROBERT HAVEN SCHAUFFLER

Beethoven's sense of humor, says Mr. Schauffler in this installment, shone mischievously in his Eighth Symphony, full of surprises to make the listener come to sudden attention. The composer is also shown winning pelf and popularity with his "Battle" Symphony, but becoming avaricious as his financial circumstances improved

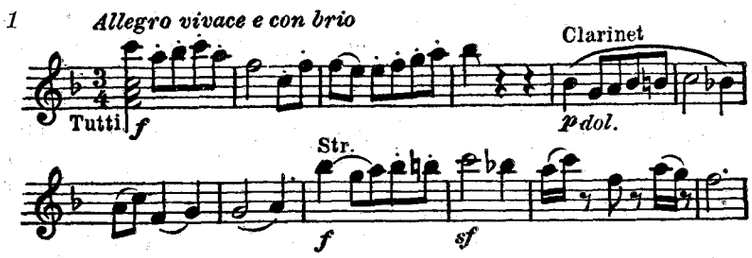
IN the Eighth symphony the Master had his subtle and purely musical fun with the whole tribe of dry-as-dust academic critics. These gentlemen had, like Weber, always complained that his first movements were: "incomprehensible, diffuse, over-complicated;" they had, like Spohr, found the slow ones: "too long drawn-out." They had condemned him for replacing the dear old minuet by the mad, capricious *scherzo.*

This new symphony seems at first blush like a contrite admission of past guilt and a return to the strictly regular fold of Albrechtsberger and the other academic rule-makers and curators of plaster casts. With the old-fashioned start the die-hards feel that the prodigal has come back from the husks and the *Schweinerei.* They are comfortably prepared to appreciate the conventional modulation from F to C for the second subject. Then suddenly the impish Master makes them sit up with a cruel jerk by threatening for nine bars to lapse into sinful E Flat. Abruptly he slumps into the outrageous key of D, only to end up after all in the orthodox C.

The movement is double-faced,—the apparently good boy in church, making ribald grimaces at the girls behind his hymn-book, wherein he has concealed "Roughhouse Rosie or The Seven Buckets of Blood." More subtly—though perhaps without malice, or even conscious intention—Beethoven does here what Richard Strauss was to attempt later with less art, and more venom, in the critic section of "Ein Heldenleben."

At the start of the movement we have seen how, turning back his sleeves like a genial conjurer to show that he has nothing up them, Beethoven pulls amazing things out of the borrowed high hat (exposition). He juggles with these in a breath-taking manner (development). He puts them back, then begins to pull them all out again (recapitulation). But when he comes to the traditional white rabbit he stops, still holding it by the ears, blinks at it with a look of feigned surprise, murmurs, "Pardon me, ladies and gentlemen, but here we have an item I had overlooked,"—and produces out of its mouth something quite novel in the way of a tune. It is a dainty melody, hidden until now in that prolongation of the first subject which here growls along in the bass. The thing is the musical equivalent of a chariot of spun sugar drawn by genuine white mice. (Ex. 2.)

Ex. 1



And in the *coda* of the *finale* with unabated effrontery he again flaunts the academicians by springing a tune of an absolutely unauthorized novelty, lashed along by the triplets of the first subject. (Ex. 3.)

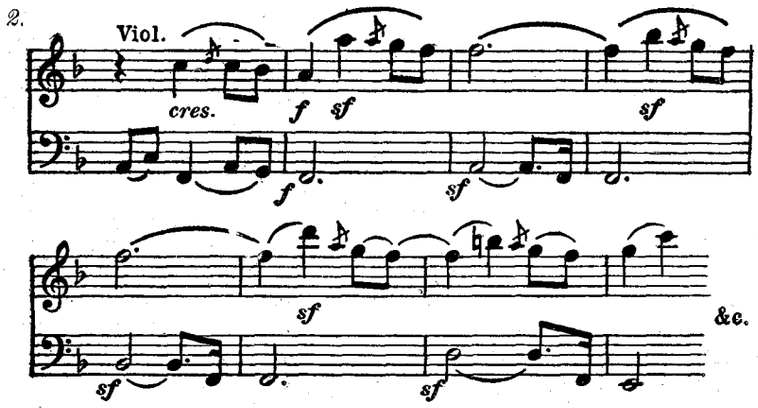
Oulibischeff had much the same sort of mind as the pedantic crew who were scandalized and ridiculed by this symphony. Whenever one finds a statement of his about Beethoven's music one usually feels that the safest course is to multiply it by minus one and abide by the result. Nor does this rule fail to work when he contends that the tiny *allegretto scherzando* of the Eighth symphony was a deliberate parody of Rossini, that god of the groundlings of 1812. For on the contrary, it is possible that Rossini, four years later, was himself inspired by the daintiness of this movement, its roguish tripping rhythm and its general melodic outline in the famous "Zitti, Zitti" of "The Barber of Seville."

This exquisite elf of an *allegretto* (Ex. 4.) was destined to be the progenitor of the entire race of music devoted to elves, fays, nixies, trolls and fairies, from Weber and Mendelssohn to Ravel's "Mother Goose."

And now the dry-as-dusts, who have been sorely shaken up by the first movement and do not know whether the saucy little second one was intended for a *scherzo* or what, settle themselves for a regulation *adagio.* Again they are surprised by getting instead a real old-time minuet, one of the very few Beethoven ever wrote. This appears to out-Dittersdorf Dittersdorf in old-fashionedness, yet all the while chuckles in its sleeve with the pleasure of conscious parody.

The *finale* is one of the most notable movements in all the nine symphonies. It opens with a careless scrap of tune, like an absent-minded bird's song. This scrap meets with as superb a treatment as almost any of the Master's supreme ideas met with in the "Sketch Books," between the banality of their first notation and the glory of their ultimate form.

Ex. 2.



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If Beethoven had written nothing but this one symphony, such a *tour de force* of inter-movement liaison work as it reveals[1] would of itself place him among the greatest masters of construction who ever bore the name of artist.

The new force of humor which Beethoven set free for the enrichment of his art was very much the sort to which he had always given play in word and deed and letter. The truth is that, notwithstanding his distaste for writing words,—he once declared to Simrock that he had "rather write 10,000 notes than one letter of the alphabet,"—he was capable of a more infectious kind of verbal felicity than is generally realized. The epistles to his factotum Zmeskall, the "Music Count," are full of solemn Eighth symphony fooling,—and often in connection with his henchman's instrument, the violoncello.

"Presently I will forward to you my treatise on the four violoncello strings, very fundamentally written, first chapter on gut in general—second chapter on strings composed of gut—etc." This gibe at the glacial agility of Teutonic scholarship might have been written by Mark Twain or Mr. Stephen Leacock.

The Master depended on Zmeskall to cut him goose-quill pens; and was never weary of varying this formula:

"Damned (former) music countlet, where is the devil concealing you? . . . . We entreat you to endow us with a few feathers, we will shortly send you a whole packet so that you need not pluck out your own.—It may well be that you will yet receive the great decoration of the order of the violoncello."

This half-promise was apparently fulfilled. For these words to the same friend are dated two years later. "Most well born one, eke Violoncellistic Greatcross" *(Violoncellität Grosskreuz.)*

Even in other hands than Zmeskall's the "bull-fiddle" remained Beethoven's butt. When Countess Erdödy had an ensemble houseparty at her country place, Beethoven wrote: "The violoncello is ordered to betake himself to the left bank of the Danube and to keep on playing until everybody has crossed over from the right bank of the Danube. In this wise would your population soon increase." One wonders whether this could have been a subtle allusion to that excess of brawn notoriously prevalent among amateur violoncellists.

Consider this note to Brauchle: "For the violoncellist let a *Guglhupfen* be baked in the form of a violoncello that upon it he may practice, if not his fingers, at least his belly and his muzzle." A *Guglhupfen,* be it remarked, is a Viennese raisin cake.

Beethoven's puns were most appreciated by himself. His supreme efforts in this minor department of fun were references to the *"Musikfreunde"* (Friends of Music) as *"Musikfeinde"* (Foes of Music); and to the *"Gelehrten"* (learnèd) as the *"Geleerten"* (emptied). But his power over words was sometimes conspicuous; as when he called pay, "metallic recognition."

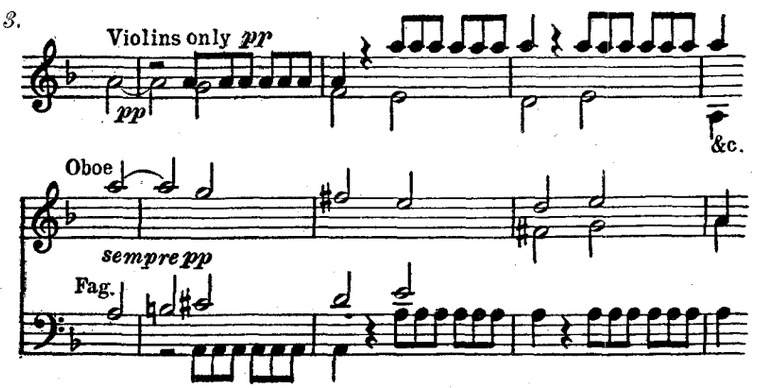
Often he struck out compact characterizations, like this for inattention: "For me everywhere one has ears on his feet." Or this for a haughty valet: "Today arrives the Duke who will be my servant." Or this for Zmeskall, who was striving to forestall Maelzel's Chronometer by inventing an armless metronome: "Extra ordinary first oscillator of the world, and that without lever!!!!" About this contrivance he let his fancy roam in an Einsteinian manner, and wondered whether the machine could not be turned to vaster uses in measuring from time to eternity. He signed a letter to Schindler: "From low C sharp to high F, Beethoven."

Beethoven's strong love of practical joking was like an efficiently policed one-way street. By tolerating no return traffic it insured unobstructed progress toward his victim. Like Wilhelm II he *verstand keinen Spass,* that is, he could not see a joke when it was directed toward himself. If Goethe had ever played the Master half so rough a trick as he played Goethe when the Court went by, he would have snapped the old poet's head off.

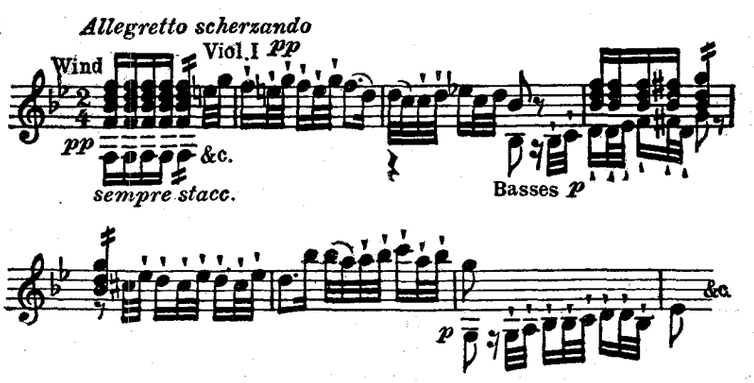
But though he let nobody laugh at him, he poked occasional fun at himself and his atrocious handwriting. "Yesterday," he wrote Zmeskall, "I took a letter to the post-office, and they asked me where it was supposed to go."

Late in 1812 the G major violin sonata[2] was finished. This work has been nicknamed "The Cockcrow." It was written for the famous visiting violinist Rode, then in the decline of his powers. The *adagio* is one of the most satisfying among his slow movements. But the three fast ones show a compromise Beethoven, trying to adapt a second-period technique to third-period thoughts, and—with unheard-of consideration—to Rode's somewhat shaky execution. "In composing it," he wrote the Archduke to whom it was dedicated, "I had to consider the playing of Rode; in our finales we are fond of tempestu-

Ex. 3.



Ex. 4



1. In his book Mr. Schauffler shows how the whole symphony is tied together—and almost derived from—its opening subject.
2. Op. 96

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ous passages, but these do not suit Rode and this—embarrassed me somewhat."

A surprising remark. Were advancing years making Beethoven less uncompromising? Was this the same man who had snubbed Schuppanzigh about his "puling little fiddle," when "Milord" had expostulated over certain difficulties in a quartet?

1813 was a bad year for the composer. Little of value was added to his list. Material troubles preoccupied him. He sued Prince Lobkowitz and the widow of Prince Kinsky for arrears of his pension. And, influenced in part by his obsession against light women, he brought brother Karl's wife into court for the return of a loan of 1500 gulden.

True, he needed the money. Nanette Streicher reported that he had no good coat and not a single whole shirt. While to Spohr, who had missed him at the tavern for days, he confessed that he had suffered "house-arrest" on account of the failure of his only pair of shoes.

POVERTY MADE HIM amenable to a far worse compromise than the G major violin sonata. At this psychological moment the devil, in the person of Maelzel the inventor, came and whispered, or rather shouted, into his ear. He promised to show him the kingdoms of the earth (i. e. France and England) and to fill his pockets with red gold, if the Master would only write a certain piece of program music for an ingenious instrument of Maelzel's own invention.

The occasion was the Duke of Wellington's recent victory over the Napoleonic forces at Vittoria in Spain. The instrument was called the Panharmonicon. This ancestor of the automatic organ and piano was a sort of glorified music box. According to Thayer it "combined the common instruments then employed in military bands, with a powerful bellows—the whole being enclosed in a case. The motive power was automatic and the keys were touched by pins affixed in a revolving cylinder." We must bear in mind that in those days a proposition to write such compositions sounded more respectable than it would today. Battle pieces had long been popular. Koczwara's "Battle of Prague" was just then all the rage in Europe and America. Many suppose that the famous "grand battle piece for two flutes" was a mythical *reductio ad absurdum* of this idea. Not at all! It was actually published, as an arrangement of Fuch's "Battle of Jena." And who can doubt its effectiveness in routing any possible enemy? Beethoven probably knew that Mozart had written an Eighteenth Century anticipation of the "Victory Ball" for Count Deym; and that Cherubini had concocted a tonal fight for Maelzel himself. With this branch of composition thus legitimatized, Beethoven gave ear to the tempter.

Money was needed for the proposed trip to London, where he was sure he could make tons of it. For the first time in his life he decided deliberately to prostitute his art. The result was a piece of startling crudity. Before "Wellington's Victory" was quite finished for Maelzel's machine, Beethoven arranged it, at the latter's suggestion, for orchestra. In this form it is known as the "Battle" symphony.[1]

Among the immortal nine, this so-called symphony cuts much the same figure that the *chef d'oeuvre* of a sidewalk artist would cut in the main hall of the National Gallery. It consists of brisk business for drums and trumpets, with brilliant changes rung on "Rule Britannia" and "Malbrook," the tune known to Americans as "We Won't Go Home Till Morning." The climax of this preposterous phantasmagoria was actually "God Save the King," tortured into a fast *fugato* with ingenious effects representing the huzzas of the populace.

Beethoven wrote this Beethovenate music in order to smite the groundlings upon the side of the head. He did. What an ironic commentary on mankind's present relatively infinitesimal distance from the tree-ape, that such a man should have succumbed thus, and that his trashiest composition should have won his first overwhelming triumph!

ON DECEMBER 8 and 12, 1813, the Seventh symphony and the "Battle" symphony were performed upon the same program for charity. Even more horrible to relate, these numbers were separated by marches of Pleyel and Dussek emanating from Maelzel's Mechanical Trumpeter.

The leading musicians gave their services, and regarded the event as a huge professional joke. Spohr, Mayseder and Dragonetti fiddled. Moscheles crashed the cymbals. Salieri conducted the battery from off stage. Hummel smote the big drum, in company with a young fellow of twenty-two named Beer, who pounded without the courage of his convictions and got himself disgracefully scolded by the Master. This young fellow, owing to the terms of a legacy, changed his name to Meyerbeer and proved that a poor drummer might become a rich composer. The antics of these celebrities must have presented an amusing spectacle. But it would have been wise to do as all the prudent do who go to see *Turandot* today, and attend this show equipped with opera glasses,—and ear muffs.

THE SUCCESS of the "Battle" symphony threw the Seventh into complete shade. Its *éclat* was so shattering that, on January 2 and February 27, 1814, Beethoven gave it again, with the Seventh and Eighth symphonies, for his own exclusive benefit. Fate smiled upon the box office. With cash in hand, he decided not to visit England after all.

Thus he defrauded Maelzel of his just profits. When the desperate inventor managed to collect the music, part by part, for his own eventual use, Beethoven called him a thief. "You're another" retorted Maelzel. And they went to court. Three years later the case was amicably settled.

The success of the "Battle" symphony made Beethoven for the first time popular among the people. He was immensely pleased when, walking one day on the Kahlenberg, he was given some cherries by a couple of girls. They would take nothing in return, and said adoringly: "We saw you in the Ridotto Room when we heard your lovely music."

Beethoven was now in cash and the man of the hour. But soon he came to realize that he had sold part of his birthright for a mess of pottage, and gone back on the sound æsthetic principles which he had proclaimed with the "Pastoral" symphony. "'Wellington's Victory' was a piece of folly," he declared. "It was dear to my heart only because with it I gave the Viennese a sound drubbing."

His successful championship of the metronome shows one characteristic of the man who freed music. He was not a red revolutionary. Great creators seldom are. But he had a decidedly forward-looking mind. It was interested in the march of the world and in invention. He carefully noted the address of a goldsmith who made "fillable pens which may be transported"—an-

1. Op. 91.

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cestors of our fountain pen. Like Leonardo da Vinci, he was fascinated by the problem of human flight. Some of the first attempts at aviation, by the Viennese clock-maker, Jacob Degen, roused his lively interest. Degen used to try soaring near Baden, the scene of some of the Master's own loftiest flights above this work-a-day world.

The approach of the mechanical era thrilled him. "Let us thank God for the promised steam cannons and for the already realized steam navigation. What far swimmers shall we presently have, to bring us air and freedom?"

In a day when Austria was even less well equipped with elevators than at present, he dreamed of an engine for lifting the Falstaffian Schuppanzigh "because the thick one mounts badly." In a letter floridly superscribed we read: "as soon as my machine is finished, whereby you can be transported with perfect ease up here to me on the fourth floor, I'll let you know."

Beethoven's worldly and cynical activities in connection with the Peace Congress of Vienna were many. Besides the "Battle" symphony, there was "The Glorious Moment," a deplorable potboiler cantata written as a timely act of homage to the rulers of Austria, Germany and Russia. And there was the trashy Polonaise for piano[1] dedicated to the Empress Elizabeth Alexievna of Russia. Like nearly all of the compositions which did not come from inner impulse, these things were quite unworthy of Beethoven's pen. But the crowned heads, and the many-headed crowd, came in such numbers as to provide the Master a snug nest-egg[2].

Material success, nevertheless, did not obscure his sense of values. "Of our monarchs etc., their realms etc.," he wrote Dr. Kanka. "I write you nothing. . . . I prefer the spiritual realm and Him who stands above all spiritual and celestial monarchs."

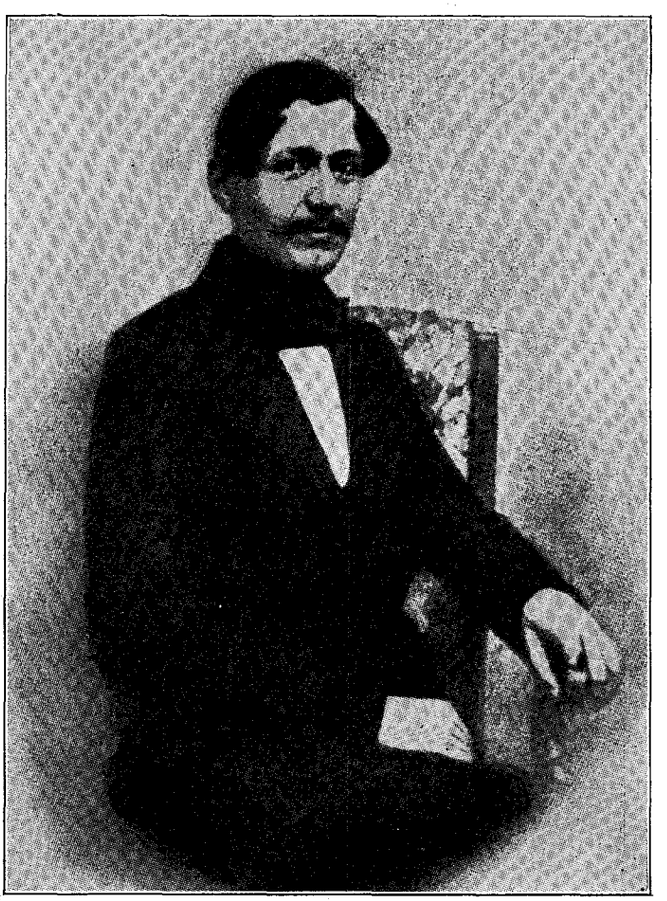
This year Beethoven rebuilt, as he phrased it, "the devastated ruins of an old castle." In other words, building upon Treitschke's revision of the "Fidelio" libretto, he gave the opera its final form. It was produced with conspicuous success before the assembly.

Certain marginalia in the "Sketch Books" of 1814-15 throw brief flashes of light on the Master's character:

"Much to be done on this earth, do it soon!"

"No time rolls more quickly by than that in which we busy ourselves with our spirits or I with my muse."

"Do not outwardly show all men the contempt they deserve, for one cannot know where one may need to use them."



BEETHOVEN'S NEPHEW KARL

Left under the provisions of his father's will to the joint custody of Beethoven and his mother

Another entry hints at Beethoven's tremendous vitality. "Let everything that has life *(Alles, was Leben Heisst)* be sacrificed to the sublime, and sacred to art. Let me live, even with artificial helps, if these can only be found."

And here is the Master's dream for his old age:

"A little court—a little orchestra, its song written there by me, performed to the honour of the Almighty, the Eternal, the Unending. So may the last days flow by. . . . The portraits of Handel, Bach, Gluck, Mozart, Haidn in my room—they might help me to lay claim to submission."

"A peasant property, then will you escape your wretchedness."

Part of this wretchedness lay, no doubt, in being misunderstood by his fellow citizens. For about this time the Viennese began calling him *"der närrische Musiker"* (the mad musician).

It was then that he threw off what was destined to be his most famous *mot.* Young Ignaz Moscheles arranged the piano version of "Fidelio." At the bottom of the manuscript he wrote: "Finished with God's help." The Master's instant reaction was to scrawl upon the page, "Man, help thyself!"

Before letting the world hear the "Archduke" trio, Beethoven waited three years. In the spring of 1814 he himself performed its piano part at two concerts. Then he renounced public playing forever.

It was a distressing *dénouement.* Spohr, who was present at one of the rehearsals, has told us how Beethoven's mastery of his instrument had failed through deafness and lack of practice. In "*forte* passages the poor deaf man pounded on the keys until the strings jangled, and in *piano* he played so softly that whole groups of tones were omitted."

Perhaps the jealous Spohr exaggerated somewhat, but in any case, the master's public career as a pianist lamentably ended with the unresolved discord of an inadequate performance of the least adequate *finale* in all his chamber music.

Meanwhile, Beethoven's avarice grew with his fortunes. During the years after he had put by the first considerable nest-egg he slipped more and more into the way of misrepresenting his resources. To Ries he wrote about his chief benefactor and closest friend Rudolph: "My unlucky connection with the Archduke has brought me almost down to the beggar's staff In 1814 he complained to Kanka. "The table of Zeus is no more where one might propose oneself for ambrosia." In a letter to Neate, May 18, 1816,

1. Op. 89.
2. During this time, he also wrote the E minor piano sonata (Op. 90) which gave an indication that he would once more come to himself.

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he referred to "my almost indigent life."

"There is a striking incongruity" says Thayer, "between Beethoven's pleas of poverty in his letters to correspondents in England at this period and the facts drawn from official and other authentic sources."

But when we consider his kindness to his dying brother, presto change! Exit Hyde; enter Jekyll. He begged Brauchle to take a journey after a horse for Karl. "Stop at no expense, I'll gladly meet it. It is not worth while to let anyone suffer for the sake of a few miserable gulden."

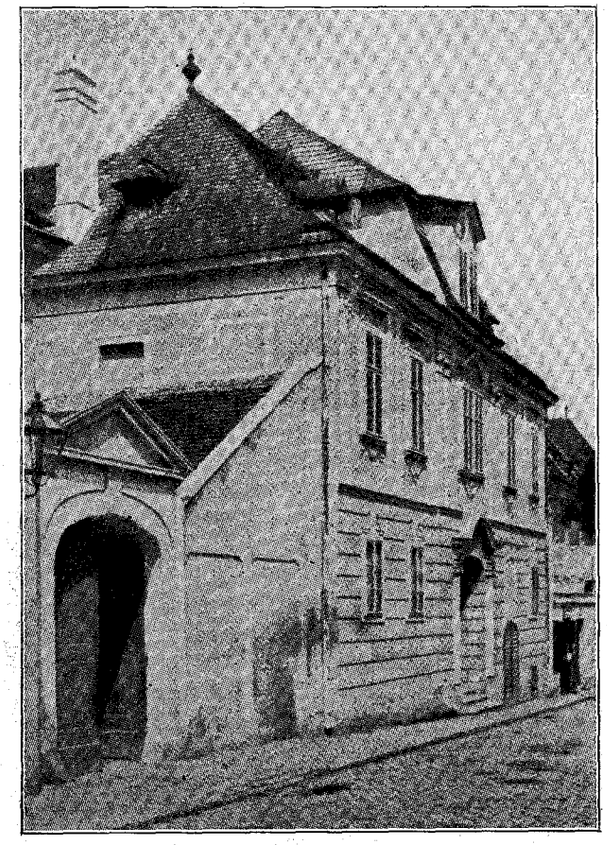
He actually went so far as to ask a society woman, Antonie von Brentano, to peddle about Karl's old pipe-head among her friends. Price: 10 louis d'or. But, eight years after, he was royally to repay this favor by the dedication to her of the "Diabelli Variations."

Brother Karl died of tuberculosis November 16, 1815. He left his eight-year-old son Karl under the joint guardianship of the widow and brother Ludwig. In a codicil to his will he enjoined upon the former of these ill-assorted guardians, compliance, and upon the latter, moderation.

Appreciable amounts of neither compliance nor moderation were ever shown by either guardian. Driven by his hatred of the "Queen of the Night," as he called his sister-in-law, Beethoven took her into court and fought her for five years. At the end of this time he obtained full custody of the lad.

The long, tedious, sordid story need not be gone into. It is enough to say that Beethoven's own physical and temperamental limitations made him a preposterous guardian for any child; and all the worse for a lad who had inherited most of the weaknesses of the Beethovens with few of their stronger traits. The quarrels, law-suits, anxieties and annoyances of this affair cast a shadow, deepening to tragedy, over the rest of the Master's life, and sadly hampered his creative work. But even so, his natural kindness of heart often showed itself toward that "Queen of the Night," upon whom he looked as the chief cause of his woes. After he had decreed that she should never see her boy again, he broke out: "Mother—even a bad one still remains a mother." He relented, let her see the lad, sent her money, paid her debts. This side of him moved Dr. Weissenbach to write: "If Heaven had endowed him with no other gift than his heart, that alone would make him one in whose presence many would have to rise and bow."

Beethoven's love for this nephew seems almost as morbidly exaggerated as his hatred of the boy's mother;—



THE BEETHOVEN HOUSE AT NUSSDORF
Where Beethoven and his friend the Poet Kuffner often dined

that is, unless one were to go so far as to accept literally the Master's statement in his letter of September 6, 1816, to Dr. Kanka: "I am truly the bodily father (*Ich bin wirklich leiblicher Vater*) of my late brother's child."[1] If these words, which have apparently escaped comment, should be taken at their face value they would turn the half-mad solicitude and almost ridiculously inflamed love of a bachelor uncle for a nephew into the natural love of a father for a son to whom he had given an impossible mother.

But telling against any literal acceptation of this apparent confession of paternity, is a marginal entry in a "Sketch Book" of 1816: *"Karl betrachtest du als dein eigenes Kind"*—"You look upon Karl as your own child." This is a much less flat-footed proposition than the former. One must also take into account a statement about Karl's mother in his letter to Bernard (1819): "I hear that she gets 480 fl.W.W. annually from Hofbauer, for, as I hear, he holds her child to be his, it is probably true."

During the litigation, one of the courts discovered that, in spite of the *van* in his name, Beethoven was not of noble birth. So he was turned over to a plebeian court. An apocryphal tale runs that, when questioned, the Master pointed to his head and heart exclaiming: "My patent of nobility is here and here!" For this there is unfortunately no authority. But in a letter to Piuk he wrote: "The talk turned on little word *van,* and I had pride enough to declare that I had never bothered my head about my nobility" *(dass ich mich nie ummeinen Adel bekümmert).* This was a somewhat disingenuous statement, seeing that there was no technical nobility for him to bother his head about. Over the change of venue he was furious, and hotly protested against being forced to take his chances there. "I do not belong among these plebs!"

Schindler relates that when his noble friends learned about the little word *van* they were chilled and disillusioned. So that "Vienna became too small" for him. If true, this statement disengages as deep an irony as the incident of the Master's imprisonment for vagrancy when he was composing the *Missa.*[2]

Although the human voice was less adapted than any other medium to the expression of Beethoven's genius, his chief work in the unfruitful year 1816 was a group of *Lieder.*[3] *An die ferne Geliebte* (To the Distant Beloved) was destined to have a momentous effect on

1. Kasper Anton Karl van Beethoven married Johanna Reiss May 25, 1806; and little Karl was born October 4, 1806.
2. The summer of 1815 had been devoted to the last two sonatas for violoncello and piano (in C and D Major, Op. 102), and to the dreamy, sensuous, romantic beauty of the piano sonata in A Major (Op. 101). These works mark the authentic, if tentative, beginning of the Master's third period. Mr. Schauffler describes them in his book.
3. Op. 98.

(Please Turn to Page 318)

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May Radio Utilities Merge?

By THOMAS H. GAMMACK

The basic facts and events which underlie the trend of business are presented in this weekly financial page. Mr. Gammack is one of the well-known younger men in Wall Street

WITH the groundwork laid for a merger of the International Telephone & Telegraph Corporation and the communications subsidiary to the Radio Corporation of America, the agitation over new legislation to permit this virtual monopoly is growing warm.

The intention of the Sherman Act of 1890 and the Clayton Act of 1914, to preserve competition between many substantially equal industrial units, has been nullified in effect by the growth of giant corporations in recent years. Apparently these violations have resulted in many benefits to the public. Here is a law, only two years old, whose modification is sought now on the basis that changed international conditions within the industry make the prohibition of a monopoly uneconomic.

President Sosthenes Behn of International Telephone & Telegraph explains it this way. It is generally recognized, he states, that wire and wireless communications services are complementary to each other, and the advantage of their association is manifest as it permits of the most efficient and economical use of both wire and wireless in their respective fields.

The desirability of consolidating the radio communications services of R. C. A. with the communications services of the International Telephone has been recognized by both corporations, he continues, and a tentative merger plan has been agreed upon, to be executed when the law permits.

The particular spur to this move was the combination of British telegraph, cable and wireless companies in a holding company with assets close to $275,000,000, and a cable system of over 160,000 miles. The communications system of International includes about 65,000 nautical miles of submarine cable. At the time the British merger was launched early last year, International arranged for the acquisition of the Mackay Companies, including the Postal Telegraph system. The Postal provides distribution facilities for cable and wireless service of I. T. & T., but the wireless service, unless acquisition of the Radio Corporation's subsidiary is permitted, must be started from scratch.

In May the Mackay Radio & Telegraph Company began operation of its new short-wave wireless service between San Francisco and Honolulu and ship-to-shore service from Sayville, Long Island. The latter will connect in due course with other radio stations being installed in South America and Europe by the International system.

The law that chafes these great corporations is the radio act of 1927, of which Section 17 forbids the combination of radio with cable, telegraph or telephone companies where the effect may be to lessen substantially competition or restrain commerce between the States or between the United States and any foreign country, or to create unlawfully a monopoly in any line of commerce.

Operation of Mackay Radio by International Telephone, of course, in theory creates competition with the Radio Corporation, but in practice this competition must be less aggressive than if there were no belief that the merger would be permitted at some time.

The radio act was written to bring order out of chaotic broadcasting conditions in 1925 and 1926, giving absolute control of all forms of radio communication in the United States to the Federal government. Anti-monopoly provisions were written into the bill as a secondary consideration. Opposition to the repeal of Section 17 will be determined.

Senator Dill, who sponsored the radio bill in the Senate, has declared himself utterly against such a repeal, stating that the present situation proves the foresight of Congress in establishing a prohibition against radio and cable combinations.

"Congress feared," he said, "that unless there were some such provision in the law, cable and wire communication companies might secure control of the development of commercial radio whenever such use of radio threatened to destroy their power or make their wires obsolete, just as steamship companies would have manipulated or prevented the development of railroads if they had possessed the power." The parallel seems hardly exact, and the danger of throttling radio to favor obsolescent cable equipment seems remote at this time when the International Telephone's annual report admits that new commercial practices and services must be adopted to absorb the great traffic capacity of new types of cables, carrier current for wire service and short-wave wireless equipment. Inventive genius in all three types of communications has outdistanced the commercial practices for their use.

As exemplified by the American Telephone and Telegraph Company in the utility field, monopolistic services must be judged on individual merits.

The cost of duplication of facilities is borne inevitably by the consumer. The benefits of pooled engineering, management and financial resources are reflected in improved service usually at lower cost.

Publication of the wishes of the two corporations is an unusually effective piece of strategy. It brings volunteers to work for legislation that will allow the step to be taken.

International is relying upon the weight of its arguments to set the necessary machinery in motion. Mr. Behn, testifying before the Senate Committee on Interstate Commerce in hearing on the Couzens Bill for a commission of communications, declared that the tendency will be, under mergers of wire and wireless, to reduce rates and increase the volume of traffic. If mergers are not permitted, most rates will be maintained substantially as they are and reductions will be made grudgingly. Concerning the delicate problem of regulating international rates, he suggested that the interests of the Government and people of the United States would be fully protected if the Government reserves the right to regulate such rates.

Special legislation for these powerful interests might, it is true, be a precedent that congressmen would be hesitant to sponsor. Yet in the light of experience with other utilities and semi-monopolies and in anticipation of the increasing world competition which American industry is facing, the question cannot be dismissed simply with the old objections raised by the trust busters.

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The Leisure Arts

Speaking of Books—The Theatre—The Movies

Early American

Colonel William Smith and Lady. By KATHARINE METCALF ROOF: Houghton, Mifflin. $5. and
Clark of the Ohio. By FREDERICK PALMER: Dodd, Mead. $5.

ON the stage of the same land and the same half century, it would be hard to find two scenes more diverse than those in which lived Colonel William Stephens Smith and his wife, and George Rogers Clark. But both were lighted by the bright flame of the new America, and many of the same great figures appear in each. Colonel Smith, one-time aide to Washington, is one of the many heroic young men of the Revolution who have been lost in the shadow of greater figures: his wife, Abigail Adams, daughter of the invincible John and the formidable Abigail, and sister of the majestic John Quincy, has no claim to fame except that she was lovely, clever and good, qualities obscured by the more unusual ones of her eminent relatives. And the Clark of Virginia who every school-boy knows is George's little brother, William, the partner of Lewis on the northwest trail.

The story of Colonel Smith and Lady is an elegant and vivacious tale of drawing-room and council chamber. Colonel Smith was a gallant soldier, an accomplished member of diplomatic missions, a successful man of affairs. His wife grew to womanhood abroad. She knew France and England at least as well as she knew America. When the Terror was beheading its victims in France, she could mourn this friend and that one as they fell under the knife. The Smiths dined with the President and Mrs. Washington. Jefferson and Lafayette were their intimates. Affairs of state and amiable gossip about great men was their table-talk. They owned the grey stone house which New Yorkers can still see, lost among the gas tanks by the Queensboro bridge.

The story of George Rogers Clark is a stirring, sometimes a tragic one of trail-blazing and Indian fighting, of magnificent exploration and sordid squabbles over land-grants. Growing up in a valley beyond that blue ridge which had first tempted Spottiswood's cavaliers, and in the shadow of those greater hills which continued to tempt Virginians and Carolinians, he was bent young into the direction he was to follow. His tutors were frontiersmen in Albemarle County, statesmen at Williamsburg. He fought in Dunmore's War, journeyed with Boone and Harrod, cut out the way to St. Louis and Vincennes. His career is marked with exploits so remarkable that without the proof of records they would be incredible. His vision opened up the Mississippi Valley. Without him, the western border of the new United States might have been the Appalachians.

The Smiths played in a social comedy; Clark in a great romance of high adventure. The Smiths adorned a lofty circle of society. Clark opened the road to an empire.

Fine Prints of the Year 1928. Minton, Balch.

THE SILHOUETTE
Dry-point by A. R. Middleton Todd

In writing, these two books are entirely unlike. Colonel Smith and Lady is a delightful example of the Life and Letters type of biography; Clark of the Ohio, a straightforward record of events, given against an adequate historical background, without speculation or analysis, and with only a bit of romancing. Katharine Roof has had access to the letters and journals of the Adams family, published and unpublished; and the Adamses were superb letter-writers and diarists with talent for lively description and discriminating as to detail. Adams letters, Smith letters, the letters of illustrious friends, everything that goes to make a picture clear, intimate and engaging has been used with great skill. Frederick Palmer has had no such material to use. Most of his work had to be done from secondary sources. He writes in a commonplace, almost juvenile way, and his book is the work of a man accustomed to writing hurriedly for an uncritical audience and guiltless of any distinction of style. But although one may wish he were an abler writer, the great interest of his subject, and his own enthusiasm for it and desire to transmit it to his audience outweigh his literary weakness. Reading these two books together has added to the interest of each. Both books are lively enough to hold even the captious interest of school-children and give a vivid picture of early American days to illustrate the sober pages of history books.

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Durant Builder

The Mansions of Philosophy. By WILL DURANT: Simon and Schuster. $5.

IN HIS "Story of Philosophy," Will Durant did something toward acquainting the common reader with the progress through the ages of the queen of sciences. How much he did toward actually endearing the royal lady to him could only be estimated by librarians and booksellers reporting on the demand for Plato, Spinoza and Kant. As a popular historian, Durant is successful and adequate. What place, if any, he himself may hope to occupy in the volume of some future chronicler of the history of philosophy is fairly well indicated by his new book. Durant's intentions are good. He knows the consolations of philosophy and offers them to his pupils. As long as he confines himself to the recording and appreciation of the ideas and constructions of other men, he is the average competent schoolmaster. But as an interpreter of other men's thoughts, even, he is not clear. One gathers from his digest that philosophy is being smothered by her child, exact science; that the endless argument initiated by Descartes with his "Cogito ergo sum" has weakened philosophy, while the exact sciences rise to the place she once held on the strength of their trial-and-error, it-can-be-proved method. Yet philosophy has ever dwelt in the realm of speculation, which is beyond the realm of proof. And Durant, too, is over-ambitious. He attempts, in his new book, a task that only a mental Titan could perform. He undertakes to tell the whole truth about æsthetics, morals, religion, democracy, sociology, economics, and so forth. And he leaves much untold.

The fact is that sincerely as Durant cherishes the mansions of philosophy and studies their designs, when it comes to his own construction, as it does in the new book, he is not much of a builder. There are too many houses like his already; pretentious but flimsy. The folks seem to like them. But does philosophy live in them? Turn to Dr. Durant's chapters on character, on Utopia, on Modern Woman. They might be from the syndicated sayings of a daily-paper sage. On such a foundation of serious study as Durant has, he should have done better.

A book that can goad men into thinking is good; but not if it encourages them in loose thinking. Durant is of more service to his fellows when he shows them the way to the stately mansions which other men have built for Philosophy than when he invites them into his own jerry-built house.

Against the Background of History

The Lady of Laws. By SUSANNE TRAUTWEIN. Translated by H. E. PALMER and L. W. CHARLEY: Eliot Holt. $2.50.

Vivandière. By PHOEBE FENWICK GAY: Horace Liveright. $2.50.

The Romantic Prince. By RAFAEL SABATINI: Houghton, Mifflin. $2.50.

The Keys of England. By W. VICTOR COOK: Lincoln MacVeagh: The Dial Press. $2.

FOR READERS who like their romance best when it wears the borrowed plumes of history, there are four new books. Or perhaps it is safer to say three, because "The Lady of Laws" fits the description, "historical fiction," no more snugly than did "The Bridge of San Luis Rey" which some booksellers set in that column. It is, as that was, an allegory.

If you will call to mind a Renaissance tapestry, rich and faded, in which, against a field sprinkled with flowers in formal, exquisite design and backed by the dim outlines of fortresses and rocks, virgins and falconers, goddesses and unicorns disport themselves you will know better than we can tell you what "The Lady of Laws" is like. It is a novel both strong and delicate. Renaissance Italy is the magnificent, sombre background against which is set a fragile story run through with a ribbon of symbolism. The Lady of Laws is a learned and beautiful doctor in a school of law, an anachronism, indeed, in her time. Her life is a long trial of strength with the Tyrant of her city. In her own eyes, in the eyes of those who cherish her, she is both brave and wise. In the Tyrant's, she is foolish, meddlesome and desirable. Visited by him in a concealing cloud of darkness and cypress smoke, she bears, as Io did, a son to an unknown god. The son, she at last inevitably loses to the imperious need of his deified father. And her own life, spent in the brave ways of a woman conscious of superiority and of responsibility, is thrown away in a gesture of sacrifice as petulant as it is proud.

The symbolism may be unraveled by the reader to suit himself. He may take the Lady as a symbol of sacrifice, the Tyrant as one of power. Existing on different planes, they cannot meet spiritually; and from their physical combat neither can emerge victorious because neither can be defeated by such weapons as the other wields. Or he may accept the Tyrant as the symbol of the unchanging male, the Lady as that of the new liberated woman whose freedom is an empty phrase, whose learning cannot save her from being used for his purposes by a superior being, and discarded when those purposes are accomplished.

"The Lady of Laws" is written in smooth prose, firm, never over-studied, luminous and right. There is great richness and color in its descriptive passages, cool irony in its fine characterizations. A certain bitterness flavors its emotion. In its phrasing, at once intricate and chaste, it suggests the neo-classic poetry of the Italian Renaissance. As the work of a German a nearer influence may perhaps be found in the poetry of Rainer Maria Rilke.

"Vivandière" is unmistakably a historical novel and a very good one. In it, history becomes a protagonist. Its structure is excellent, and it is written with eloquence, rich imagination and humanity. The scene is Napoleon's Russian campaign, and in the vivid descriptions of that most horrible of military fiascos there is anti-war propaganda as powerful and as immediate as any we have found in stories of the World War. The characterizations are realistic; the brothers St. Siriac in whose divergent development the effects of suffering upon the sensualist and upon the idealist are cleverly indicated; Julie, the vivandière, a figure of selfless devotion and fortitude, painted tenderly but without sentimentality; Natalia, the touching victim of senseless tragedy; all these go to make the book moving and absorbing. Phoebe Gay is a new and interesting talent in the field of historical fiction.

Sabatini and Cook are followers of the Scott school. Sabatini, who has been out of his stride in his last few books, is back in step here with a good tale of Burgundy in the days when Charles the Bold was fighting Louis the Eleventh of France, days familiar to readers of Quentin Durward. Sabatini knows his historic background

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and uses it well. For a period so remote, this one happens to be rich in intimate contemporary records and he has drawn on some familiar ones for two or three of his most vivid scenes. Victor Cook also uses his setting to good advantage. England at the time of the Barons' Wars under Henry the Third is the stage on which is played a good story in which fact and fiction are nicely mingled. Both these books would be good summer reading for high-school students.

FRANCES LAMONT ROBBINS.

Pierre or the Ambiguities. By HERMAN MELVILLE: Dutton. $2.50. Published April 27.

THIS IS an exemplary reprint of a book that is both a masterpiece and a failure. Some of Melville's best writing, and some of his worst lie here side by side. Only the student of Melville will not be frightened away by the incoherence, the discursiveness and the confusing metaphysics of "Pierre." After he unravels the twisted threads of its meaning he will be suitably rewarded—he will begin to understand the protean genius of Herman Melville.

But it is too much to say, as Lewis Mumford does in his study of Melville, that "Pierre" was the "first book in which he was in full command of his powers." Rather was he at their mercy. His subject ran away with him. He was so completely in sympathy with Pierre's moral disintegration—the corruption of an idealism ending in incest—so much a part of this sad, bitter patrician youth's dilemma, that he approached his subject with the same ulcerous contempt with which his protagonist approached life. Pierre's defeat was Melville's defeat; symbolically, it was the defeat of America.

"Pierre" is not a pretty picture. But then again, El Greco is neither Vigée LeBrun nor Rube Goldberg!

E. M. BENSON.

Picked at Random

By WALTER R. BROOKS

William MacLeod Raine's
Famous Sheriffs and Western Outlaws
Doubleday Doran

Here are the stories of Billy the Kid, Bucky O'Neill, Uncle Billy Tilghman, Wild Bill Hickok, John Wesley Hardin, and other famous characters of the early West, told in rather haphazard fashion by one who evidently knows his Western history so thoroughly that he finds it difficult to follow consecutively the thread of any one man's story. The intersection of another thread in the maze draws him into a digression, and these digressions are confusing. Mr. Raine has tried to tell too much. Nevertheless if you're interested in reading of the Wild West when it was really wild, you won't want to miss this one.

The Most Discussed Books

THIS SELECTION is compiled from the lists of the ten best-selling volumes sent us by wire from the following bookshops each week:

BRENTANO'S, *New York;* SCRANTOMS, INC., *Rochester;* KORNER & WOOD, *Cleveland;* SCRUGGS, VANDEVOORT & BARNEY, *St. Louis;* KENDRICK BELLAMY CO., *Denver;* TEOLIN PILLOT CO., *Houston;* PAUL ELDER & CO., *San Francisco;* NORMAN REMINGTON CO., *Baltimore;* EMERY BIRD THAYER, *Kansas City;* MILLER'S BOOK STORE, *Atlanta.* BULLOCK'S, *Los Angeles;* MARSHALL FIELD & CO., *Chicago;* STEWART KIDD, *Cincinnati;* J. K. GILL CO., *Portland, Oregon.*

Fiction

All Quiet on the Western Front, by Erich Maria Remarque, translated from the German by A. W. Wheen: Little, Brown. A searching and sensitive story of the World War which shows what the common soldier thinks of it, whatever flag he follows. Reviewed June 5.

Dodsworth, by Sinclair Lewis: Harcourt, Brace. This sad and bitter story of American marriage is Lewis's best book, and must not be missed. Reviewed March 20.

The Wild Bird, by Maud Diver: Houghton Mifflin. This story of how a wild bird of a girl was tamed by life and love is commonplace in style and content. Reviewed June 5th.

Victim and Victor, by John R. Oliver: Macmillan. An intensely human and moving story of an unfrocked priest who became a doctor of souls. Full of dramatic material, if somewhat heavy in style.

Young Mrs. Greeley, by Booth Tarkington: Doubleday, Doran. A brilliant sketch of a common type, the little fool, stuffed with the cheap and nasty pastry of the tabloids and the movies and suffering from indigestion. Reviewed June 12.

Non-Fiction

Henry the Eighth, by Francis Hackett: Horace Liveright. A masterly re-creation of a striking and important historical scene. Don't miss it. Reviewed April 10.

The Art of Thinking, by Abbé Dimnet: Simon and Schuster. A thoughtful Frenchman writes graciously and wisely of a lost art.

A Preface to Morals, by Walter Lippmann: Macmillan. The author analyzes brilliantly the dilemma in which the sensitive intellectual finds himself today and offers a philosophy of life for modern men. Reviewed May 8th.

The Mansions of Philosophy, by Will Durant: Simon and Schuster. Reviewed in this issue.

Salt Water Taffy, by Corey Ford: Putnam. Taking the place, on this list of "The Cradle of the Deep" of which it is a very funny if over-long parody.

J. S. Fletcher's
The Matheson Formula
Knopf

It must have taken courage to put the word "formula" in the title to this story, for if ever a thriller was written to a formula—and we believe several have been—that is it. It sticks to the formula even to the explosion in the last chapter which eradicates all the forces of evil and leaves the good to prosper untempted and unpersecuted. Yet it is a good yarn, simply because Mr. Fletcher can always be counted on to turn out a good yarn, even with second hand ingredients. In this one, Mr. Matheson discovers a new explosive, is kidnaped by a gang of international disarmament fanatics, among whom is the beautiful Olga, escapes and—oh well, you know the rest as well as we do. Nevertheless, we repeat, it's a good yarn.

Philip Stevenson's
The Edge of the Nest
Coward McCann

Although this story purports to show the changes in three children of the same family when they come to the point in their lives when they either break away from, or remain subject to, the influence of their parents, it seems to us to show childhood and adolescence recollected and observed rather than understood. As a story it is disconnected and without unity, although it contains much truth and some humor.

Claude McKay's
Banjo
Harper

Lincoln Agrippa Daily, familiarly known as Banjo, was a carefree vagabond from Dixie. He had wandered all over America before he fetched up in Marseilles where he made friends with other beach boys and formed a jazz band. There is much laughter and love of the sun in this book, much red wine stolen on the docks, much panhandling and then much talk of race freedom. But Banjo was not concerned with freedom, he was a law unto himself, for he allowed no one to interfere, not even Latnah.

There are so many ways to be amused by this book that it is easier to urge you to read it than to try to write about the story. The last paragraph should be read first. It contains the keynote of the book.

Jessie Louisa Richard's
The Baccarat Club
Horace Liveright

Rodney Selwyn's wife disgraced him at a dinner party, vanished, and later was reported to be living as the mistress of a wealthy Englishman in Dinard. Rodney believed the story, but his friend Maverton didn't, and the latter shaved off his beard and did a little sleuthing, with most satisfactory results for all concerned, with the exception of Messrs. Lawson and Fratton, members of that infamous organization, the Baccarat Club. Lawson escapes, to appear, no doubt, in future deviltries. To which we shall look forward with some interest.

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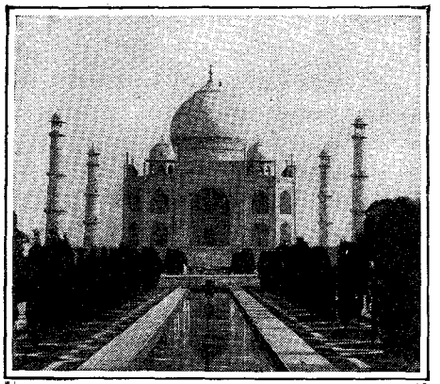

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Religion's Voice

As Heard in Recent Books

THE leading Protestant churches are discussing church unity with a seriousness they have never shown before. Just a few weeks ago the Methodist Episcopal Church voiced its approval of the proposal to unite organically with the Presbyterian Church in the United States of America and the latter took preliminary steps at the General Assembly in St. Paul this last May looking toward such union. What is true of these churches is true all along the line. The whole question is one of the most pressing before the churches today and this next decade will, beyond a doubt, see the consummation of some of these overtures. This situation makes the appearance of "Christian Unity" by Gaius Jackson Slosser (Dutton) exceedingly timely. This is an authoritative and painstaking survey of the whole field by a scholar capable of making it. This book will become the standard treatise on the subject and will be indispensable to the churchmen who must solve this problem in the next few years. The same subject is treated in a more popular fashion by Archer E. Bass in "Protestantism in the United States" (Crowell). Dr. Bass, a Baptist clergyman of wide and varied experience, writes most entertainingly about this question particularly as it concerns the 150 Protestant churches and sects of this country. This book is not written in as scholarly fashion as "Christian Unity" but it will be more helpful to the average church goer.

Among the causes for this lively interest in church union the ever growing emphasis upon religious education looms large. Religious educators cooperate both in this land and in foreign lands. They are coming to see their problem as a common problem. What is scientifically done in this field works toward unity and will influence the church that is to be. Church union implies a deepened interest in religious education. "Christ and Modern Education" by Charles E. Raven (Henry Holt and Co.) is an excellent nontechnical introduction to this subject. "Canon" Raven sees the problem steadily and sees it whole. He pleads for a religious training of children which will be as scientific and comprehensive as that in any other field. Only thus, he shows, will children feel that religion is as important as other subjects. Religious education is tending to draw the churches together; the increased emphasis upon the art of public worship is having the same effect. The "Free Churches" are no longer so fearful of dignity and symbolism as they once were. One of the most helpful books in this field for the average churchman is "The Quest for Experience in Worship" by Edwin H. Byington (Doubleday, Doran and Co.). It abounds in suggestions and is itself permeated by the devotional spirit. It will make its contribution toward church unity.

But back of worship and religious education and church unity and even the church there stands religion. What is it? What has it meant in human life? "The Story of Religion" by Charles Francis Potter (Simon and Schuster) is an intriguing attempt to answer such questions. Potter has done for religion what Durant has done for philosophy. He tells the story of religion by telling the personal stories of the great religious geniuses of the world. From Akhenaten to Mary Baker Eddy he tells the tale. On the whole he has dealt fairly with these great characters. Particularly has he recognized the amazing genius of Swedenborg too often forgotten in religious history. The author does not write without bias. No one can. For many of us the approach to the whole subject will seem too humanistic. This is a valid approach but it is not the only valid approach. However, the story of religion is fascinatingly told and deserves as wide a reading as Durant's famous book. "The Great Conjecture" by Winifred Kirkland (Henry Holt and Co.) brings forcibly to our attention the more definitely theistic and Christian viewpoint. There are but few books about which one feels that they had to be written, that the author could not keep silent. There are few writers who can say with Amos, "The Lord God hath spoken, who can but prophesy?" This is such a book; its writer is such a writer. She speaks out of a definite religious experience in terms that our disillusioned age can understand. This book is a spiritual tonic. It expresses persuasively that spirit which is back of the urge toward church unity, the spirit of true religion. It is this spirit which lives today in such experiences as that of Winifred Kirkland which is far more important than church unity but which in the long run must and will produce it.

EDMUND B. CHAFFEE.

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The Theatre

By FRANCIS R. BELLAMY

WHEN Langdon Nichols some years ago made a play from Thackeray's "Vanity Fair," he was obviously carried away by the opportunity presented to make a farce comedy from that immortal story. For no one could possibly imagine Amelia Sedley as the heroine of any play wherein such a character as Becky Sharp could appear—and Becky as all the world knows never possessed any of the attributes of the Victorian heroine. Result: a life size portrait of Becky Sharp with all the amusing situations incidental to her career; and, so far as we are concerned, an everlasting tribute to the genius of Thackeray.

For as presented by the Players in their annual revival at the Knickerbocker Theatre, "Becky Sharp" is just as unforgettable a figure in the year 1929 as she was on the day when "Vanity Fair" was published. Realist, minx and gold-digger, she remains the all but perfect picture of the clever, seductive woman too heavily endowed with brains for her own honesty and happiness. Certainly no clever woman can see "Becky Sharp" without feeling a little uneasy. For every such woman has more than a touch of Becky in her. And the uneasiness is not enhanced, we imagine, by the sight of sweet Amelia Sedley of the too saccharine nature and the romanticized picture of George Osborne in her heart. Here is Victorian innocence mercilessly satirized, the very opposite of Becky Sharp. No really clever woman, we are sure, would care to be either.

Keen insight certainly can claim kinship no matter in what age it beholds life. Freud, along with the complexes, fantasies and censors of his philosophy, was never dreamed of by Thackeray. But they were all present in his people as they appeared on Broadway last week; even down to Amelia Sedley's life-long false picture of George Osborne and her unconscious use of it to protect herself from Major Dobbin and the realities of life. As the play presents the character of Lord Steyn even that remorseless villain seems to cast a true, authentic shadow. In brief, the characters of "Becky Sharp" are still real and not merely Victorian. This reviewer is going to read the book again.

Meanwhile, this production every year by the Players' Club—which has now become an annual affair—serves but again to emphasize the true craftsmanship and ability of our actors of today about whose low ebb so much has been heard lately. Between the choosing of this play and the assembling of its noted cast barely enough time elapsed to allow for the very briefest of rehearsals. It might almost be said to have been produced upon the spur of the minute. And yet, so perfectly was it played, so deftly was it presented, so well taken were the parts that very little could have been added to the entertainment, no matter if endless pains and time had been taken.

Let us say instantly that we were won over for all time by Mary Ellis as "Becky Sharp"—despite the fact that of late we had grown increasingly unwilling to see her because of her recent adventures in "Twelve Thousand," "Taming of the Shrew," and "Meet the Prince": this last probably the worst ebullition of whimsy Mr. Milne or any one else ever perpetrated on the Broadway stage. It is a matter for regret that the rest of the country perhaps will not see Miss Ellis as Becky. Humbly, we submit the suggestion that some manager consider it for a tour next winter.

And meanwhile, what of the musical plays we agreed to discuss before the deluge of summer visitors?

Well, frankly, we are not enthusiastic about the prospects for this summer. No matter where they are on view we would write off our list "A Night in Venice" and "Pleasure Bound." We would not care if we missed the "Grand Street Follies." Although we know that we are in the undisputed minority concerning "New Moon," we still would not advise you to see it unless you are under twenty-five. There remain "Follow Thru," "Hold Everything," and Lew Field's "Hello Daddy;" the last of which bored us a good deal, while the first two we think only fair, with "Hold Everything" slightly in the lead.

What would we recommend then? Well, if you want an intimate revue, try "The Little Show" with Clifton Webb. If you want color, beauty and a real jazz show, try Eddie Cantor in "Whoopee." For genuine musical shows, get seats to "Follow Thru" or "Hold Everything."

So far as the other shows are concerned, the rest is silence.

In Next Week's Issue

New Styles in Feminine Beauty

By EMILY NEWELL BLAIR

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By Fred Merrifield

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Religion and Birth Control

(Continued from Page 301)

The day will come when the old haphazard spawning of many children, with popular laudation as a reward and perhaps a letter of appreciation from the White House, will be looked upon as utter barbarism.

As for problems of individual ethics which this new information involves, we must face them and not dodge them. Suppression will do no good, for it is suppressing nothing but knowledge, light, and candid thought. After all, chastity has been guarded more by modesty and common sense than by fear. The idea that the mere removal of the dread of conception is going to let loose a flood of iniquity is, I suspect, a misapprehension of the facts. Children of this new generation who have been trained in a code of honor involving the existence and the right use of birth control will be less likely even than their mid-Victorian parents to treat the matter lightly or to be beguiled by fools.

That the new knowledge is power, and that this power can be rightly or wrongly used, must become a recognized element in the ethical training of our children. There is no escape from this problem, or from this situation. The pathos of the situation is that while we allow the most salacious plays and magazines to circulate undisturbed, we shut out serious sex instruction from many of our schools and punish Mrs. Dennett for a frank statement of facts. Even in our families we commonly treat sex as though it were a tabooed subject instead of a holy and beautiful creative power. It is this silly and dishonest obscurantism which more than any other single factor is bedeviling the situation.

Meanwhile, the conservatively shocked and troubled souls, who find relief in attacking birth control and applauding assault of the police upon it, may as well make up their minds that contraceptive information is here, that it is being used and will increasingly be used, that its misuse can wreck our morals, devastate our homes, and despoil our nations, that a right employment of it can be of profound personal, marital, and racial benefit, and that so serious a problem as this cannot be solved by suppression.

Little "Ads"

The Outlook and Independent Classified columns are carefully guarded and closely read. The circulation of The Outlook and Independent is world-wide.

Its "Wants" Will Fill Yours

The Movies

By A. M. SHERWOOD, Jr.

Report on the Semester

THE first half of 1929 has brought out several arresting developments in the sphere of cinema, not the least among them being the progress made in talking-picture technique by the Messrs. Metro-Goldwyn-Mayer.

With the possible exception of "Bulldog Drummond" the three best talking photoplays have been (in the reviewer's opinion) "Madame X," "The Broadway Melody," and "The Trial of Mary Dugan"—all M-G-M pictures. We don't know at all to what this newly-found superiority is due; we have an idea that Douglas Shearer, brother of Norma, may be responsible. Douglas Shearer is called "Recording Technician" (or something like that) of Metro-Goldwyn-Mayer. As such he has presumably had charge of all the mechanical and electrical apparatus that goes into the making of their talkies. It is from a technical standpoint that the M-G-M pictures here mentioned have outshone "The Letter," "Coquette," "Interference," "On Trial," and other good talking pictures of this period. Therefore, we feel inclined to credit Mr. Shearer with the lion's share —(you've seen the M-G-M lion, of course?)—in the success of his company's three big talking shows. If we're wrong, we're willing to be corrected.

Of course—Bessie Love, Charles King, Ruth Chatterton, Lionel Barrymore, H. B. Warner, Lewis Stone, Norma Shearer, Harry Beaumont, Raymond Hackett, and others have gone out and died for dear old Metro, and their work shouldn't be forgotten. But if one were to compile a list of outstanding moments in Great Photoplays their names would appear not more than proportionately to many other actors and actresses and directors.

We, for example, got our greatest kicks of the first six months of 1929 from the following bits:

Ronald Colman laughing to himself as in "Bulldog Drummond" he drives away from the fake sanitarium with the man he has rescued.

Mary Pickford in "Coquette," saying "just simply ado'ble" and making this doubtful phrase intensely pathetic, instead of just silly.

Ruth Chatterton having a nervous chill after killing her gentleman friend in "Madame X."

Bessie Love's expression of pride and affection when she looks at her younger sister, in "The Broadway Melody."

Norma Shearer's entire scene on the witness stand in "The Trial of Mary Dugan."

Otto Matiesen in "Napoleon's Barber" standing quite still, head sunk forward, arms folded.

Frank Lloyd's conception, and Victor Varconi's execution, of the death of Lord Nelson in "The Divine Lady"—a scene that deserves to rank with the great dramatic achievements of all time.

Paul Muni's entire performance in "The Valiant."

Douglas Fairbanks, as D'Artagnan, joining his dead comrade in the jovial world beyond; a difficult sequence, tenderly, beautifully and inspiringly done. ("The Iron Mask.")

Davey Lee in "Sonny Boy," asking "Can I depend upon that?"

George Bancroft's entire performance in "The Wolf of Wall Street."

Warner Baxter's ditto in "In Old Arizona."

During the period under discussion this department has received from admiring readers many thousands of letters, all four of which have been about Greta Garbo. There seems little doubt that—talkies or no talkies—she is still the most interesting movie personality to the intelligent fan; that not only her face and form but her strangely elusive method have captivated most persons who like to dissect a dramatic performance to see what makes it tick, click or sick, as the case may be.

In closing this piece with a reference to Miss Garbo, we find ourselves again pinning a rosebud on Metro-Goldwyn-Mayer. Lest our professional integrity (valued at one million cigar coupons—or what have you?) be held in question for this favoritism, let us add forthwith that Miss Garbo's career with Metro has been one long disappointment to many of her admirers, who feel that she hasn't had a real chance in Hollywood.

BY THE TIME this page appears in print, full details of the new three-dimensional movie will have been published in many daily newspapers.

This extraordinary invention makes possible perspective on the screen, and gives to the screen itself a new magnitude that will provide an illusion of reality never before achieved. Characters will appear in their proper relation to the background and will not be crowded into close-ups or huddled groups of flat, black and white shadows.

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Ivory, Apes and Peacocks

By W. R. BROOKS

A NEW substitute for the golf bag is the Don Bar, a light weight rack made of aluminum and bakelite in which your clubs are carried while playing. The clubs are locked in, in a row, and when you come to the place where your ball lies, you simply swing out the supporting standard and the Don Bar stands upright on the turf. The gate that locks in the heads of the clubs is released by a button; you press this, select your club, play, replace the club, snap the gate shut and pick up the Don Bar without stooping. It is lighter and easier to carry than a bag, it protects the clubs from warping and rubbing, and it takes much less time to select your club from this contrivance than from the ordinary bag. It comes in a zipper case in which to pack it when traveling. The extra balls are carried in spring clips, and are always visible and easy to get at.

Apropos of golf, we are glad to see all these guaranteed balls coming on the market. We personally believe that there isn't a ball made that we can't split the cover off from in two good swings with a mashie. Even with a putter we're pretty good. If the amount of damage done to the ball won any cups we'd have to build an addition to our apartment to house our trophies. Under the present rules of the game, however, this form of skill is only a liability. So when we saw today the advertisement of a guaranteed fifty cent ball—three for a dollar on an introductory offer—we clipped the coupon immediately. But we haven't much hope, really. We'll be blacklisted by that company before the year is out.

A NEW AIRPLANE swing for children which has four-point suspension and can't tip, has a four foot red body, natural wood wings, pilot seat and handle. It has three places to sit or stand, and comes packed flat so that it can be set up on the porch, in attic or basement, or under the old apple tree, in ten minutes.

WE HAVE SEEN a watch which has only a minute hand. The hours are shown through a window in the dial. It's a very handsome wrist watch.

FOR THE KITCHEN we have seen a stool with a slanting top—much more restful to sit on than the ordinary kind. Also baking dishes made with crinkled edges in a sort of pottery that looks like pie crust, and appears well on the table. And casseroles for serving chicken which have handles in the form of chicken heads and claws. And a big oval frying pan with a long handle which would be very useful on picnics.

Then there's the binet, for storing vegetables and fruit—an arrangement of perforated aluminum-colored steel which stands 32½ inches high and has three shelves divided into five bins. There's a four shelf size, also.

Hyblum is a new metal much used in kitchen utensils now. It is very strong, very light, does not tarnish, and has exceptional heat diffusing and retaining qualities. You can get all sorts of skillets, saucepans, omelet pans, roasters and boiling pots in hyblum. It is more expensive than aluminum.

IF YOU LIVE in New York and have a child who is interested in making and printing his own wood cuts or linoleum cuts, the Harpers Book Shop for Boys and Girls has an old fashioned iron hand press which he can use. The people in charge of the shop are very accommodating and will be glad to instruct him in the use of the press.

YOU CAN NOW get an electric hedge trimmer which works, we suppose, something like an electric hair clipper. It is not much heavier than the big hedge shears, and will save a lot of time and lame muscles.

Also for the garden are glazed pottery animals, very lifelike, in active poses, which you can fasten in trees, or roofs or fences. There are cats, dogs, roosters and rabbits.

A comfortable malacca rattan garden seat, 37 inches wide, whose two rear feet are wheels, has cushions of waterproof stuff which can be rolled up easily. And an enamelled green garden tea wagon has a deep copper tray containing ice compartments, a smaller tray, and a shelf beneath.

And if you want to be sure of sitting in the shade, there is an iron settee with a wooden seat, 54 inches long, which has a back and canopy top of canvas that can be adjusted to shelter you from the summer sun.

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Forecast

The Outlook and Independent Announces

▶▶ DR. ALFRED LOTKA, the distinguished scientist, will discuss the question of what we can do with the growing leisure which modern science has put at our disposal. Dr. Lotka submits a searching analysis of the problem and many interesting suggestions. "Our Growing Leisure. What Shall We Do With It?" will be our next leading article.

▶▶ PROFESSOR ZECHARIAH CHAFEE of Harvard University also will contribute and editorial, "The Complexities of Crime" on the subject of law enforcement that we seriously recommend to the attention of President Hoover's commission. Professor Chafee's long and distinguished legal career entitles him to speak with authority.

▶▶ FEMININE FASHIONS change not only in clothes but also in beauty. Mrs. Emily Newell Blair, the veteran suffragist, thinks the female politician is changing also. In her article, "New Styles in Feminine Beauty," she will show to what an extent the change has progressed.

▶▶ IF FEMININE STYLES in politics are changing so are masculine methods. Mr. Henry Kittredge Norton thinks the banker is gradually supplanting the politician and that it is a good thing that he is. If you are afraid of "Wall Street" "the money power" or international finance you will be interested in Mr. Norton's article, "Government by Banker."

▶▶ From the Life ◀◀

By IBBY HALL

▶▶ *Wrong Number*

SHE SAT UP ALL night plugging telephone wires. What a life! And if she made a mistake—would she get called down? Well, why wouldn't they call her down? She was handy. And the more she wasn't to blame the more they called her down.

She was always sleepy. Honest she was. She always meant to catch it up day times, but the first thing you knew night crept up on you and you had to go to work. It was easier on your hands than day work, but harder on your brains.

Not a chance to close your eyes. Sometimes she felt like she was doing it in a dream. Other times she kept at it so strict, plugging—watching the lights—plugging out, and dropping them, only to come to and find it was all in her imagination. Well, if her imagination was that energetic she wished there was a way of letting it save her hands and her back.

She came to with a start. "Number please." She plugged the call and shook herself. "Excuse it please." Well, how did she know it was the wrong number? She looked at the clock. Four A. M. What a time to be calling wrong numbers! But he needn't think she was Mr. Edison. "All right—all right."

What a life! Maybe if she took up day work there'd be some excitement to it.

HE ALWAYS SLEPT soundly at night. Sign of a clear conscience. Why wouldn't he? Yes, sir, he had always done his best and had been rewarded for it. They talked about life being hard, but he couldn't see it. Life was simple. It was only the talking that made it look hard. If a man did his work, found himself a good wife, and took his children easy as they came, that was all there was to it, wasn't it. And why wouldn't he sleep well at night?

But that night he had been sleepier than usual. He had waited only for the children to be safely in bed before turning in himself. They all went to bed like stair steps. Just the way they had come. To look at the baby you would never guess that the oldest was grown up and the next oldest would be grown up tomorrow, and the twins half way between. Nobody but himself knew all that they had meant—walls to house them—food to keep them alive, clothes and shoes and education. But there they were, to show for it—all ages, good citizens, and he and his wife responsible.

It was a heavy sleep that he had fallen into. A sleep that rocked and flowed and dragged at him like water. He gave himself up to it with a feeling of luxury. Down. Down. Down.

Was there any bottom to this sleep? Somewhere beneath him must be the floor of the ocean. Quiet and still with its floors of coral and towers of pearl, with its waving plumes of trembling color, with its music. Down. Down. Down.

Something in the sleeper stirred and rebelled; something of habit. This giving up was new to him. Was he sleeping—was he awake? He tried to lift his arms, to swim. The current, warm and delicious, sucked him under.

But if he could not swim, if he were not sleeping, how could he reach the surface of this sea! Alarm, like a slow, dull knife, turned in his heart. A cry that was his voice, unstrung and muffled, struggled for air. He tried to lift those heavy arms—to call—help—help—

Far above him there flashed an arrow of light; it trembled and floated like a reed. If he could reach it—he stared harder—if he could clutch it—. He rose higher, nearer; and the light became a sound, a ringing. A bell.

If he could reach it. With his two hands he pushed the water from his breath. He dove upwards—he grasped it. Then the sky struck him, and he fell.

He lay still upon the floor beside his bed and heard the telephone ringing. So that was it. He stumbled to his feet and fell again. He could not stand. But he must reach it somehow. Slowly he crawled along the floor—he lifted a numb hand. He found his voice.

Wrong number!

The man on the floor passed a hand across his eyes. Where was his wife? He reached the bed again and saw her lying still as death, as quietly as the drowned. He struggled to the beds of his children. They lay like marble in a frozen sleep. The air about them was heavy with a sweet sick fragrance—

When he had once more reached the telephone—when he had found air and help—had seen them breathing again, brought back to life, he tried to remember.

"A bell woke me," he remembered slowly, "by accident."

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The Sanctity of the Law

(Continued from Page 286)

it is merely an expression of existing law. Custom, usage, and the consensus of public opinion come first; law simply codifies it. Nullification is the rise of and development of unwritten law. It grows up and supplants any existing statute which the mass of the people do not choose to obey. It is in no way analogous to "law violation" or to "law breaking." It has none of the cynical and anti-social spirit of law violation. It is constructive in emphasis.

Early in Anglo-Saxon history, each community in England had its local laws which differed oftentimes from the laws and customs of other sections. Royal judges administered these differing laws as they found them. Later, when they formulated the whole procedure into the common law, communities exercised autonomy in obeying or not obeying that law. When this autonomy took the form of non-enforcement, as it often did, that was nullification. This custom has come down to us.

The men who wrote our Constitution were inoculated with a theory of laws which came from Eighteenth Century rationalism, and was contrary to everything they practiced. This purely academic theory was that law is the expression of the will of a sovereign; that in a republic the will of the people is the sovereign power, that if there is to be self-government, that sovereign will find expression; and that the only way in which it can find expression is literal enforcement of whatever laws the representatives of the people may enact. The fathers got their practice, however, from the immemorial traditions of their Anglo-Saxon forebears. If they had not they could have found no moral justification for their own nullification of the laws which the British government tried to impose on them, nor could they have found the slightest excuse for the War of the Revolution.

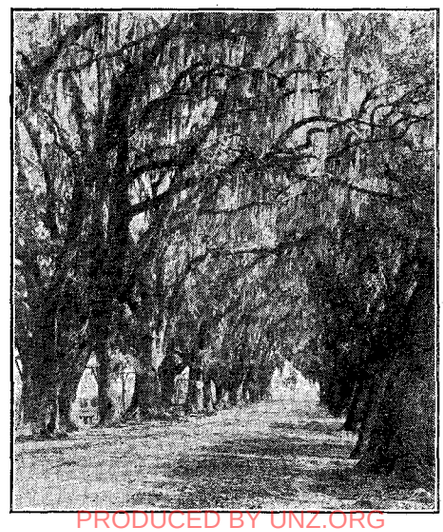
Mr. Hoover wants the people of America to take a position of moral responsibility toward the law. He complains that they don't take it. Here is his chance. Let him define this issue of nullification in the light of the facts, and meet it squarely. Let him admit the validity and the pragmatic value of nullification as a principle by which our institutions grow and develop. Then let him make clear the moral responsibility which attaches to such a principle of democratic freedom—a principle which in some degree makes every citizen a law maker if he uses his freedom aright, and a law-breaker if he does not so use it. To Mr. Hoover comes the opportunity to define this issue, and to make the American people conscious of it. It would be the beginning of something new in our philosophy of laws; and it would be a creative feat of the first magnitude. But Mr. Hoover will never achieve it while he feels as he admitted to the Associated Press, that because he is President he must take an unimaginative and dully conservative stand for "law enforcement." What this Nation needs is a creative imagination in the White House. But perhaps Mr. Hoover would have to pay dearly if he took such a course. Woodrow Wilson did.

The Contradictory South

(Continued from Page 289)

Like Chaucer he forms monosyllabic plurals by adding "es"—"postes," "ghostes" and "nestes." Like Spenser he says "mought" for "might" and Elizabethan-like he stays with such pronunciations as "sence," "agin," "Scriptur," "natur," "yit" and "yander." Just as wealth was originally a collective noun from "weal," so in the backhills stealth is what one steals, spilth is what one spills, filth is whatever fills up, and blowth is anything that blows. The Southern mountaineer has an Elizabethan thoroughness in expression. Rifle-gun, tooth-dentist, medicine-doctor, ham-meat, man-person, preacher-man, church-house and biscuit-bread are all of common usage. But hill talk is an institution of the hills. When outlanders come about it vanishes like dew in the sunlight.

A less happy contradiction is given in the case of leisure versus play. Speaking generally and comparatively, the rural Southerner is a Midas in leisure time and more than three fourths of the Southern population is rural. Yet play is paradoxically scarce in the South. The Northerner and Easterner, veterans of hurry-up, are nevertheless a playing people, and the scarcer their leisure is, the more they appear to relish it. But the rural Southerner, if frolic he must, figures to frolic only in a manner tradition-set and tried. And when he occasionally does blunder into a game he straightway acquires a passionate craving to win which consequently obliterates the spirit of play. It seems to me that many of the ugliest and most unhappy Southern occurrences are merely outcroppings of normal cravings for entertainment, minus a fortunate acquaintance with the magi of play. Lynchings, floggings, Ku Klux and Primitive Baptistism are in the run of cases but murky substitutes for more wholesome and sunlit diversions and their rate of frequency should vary inversely with that of prize-fights, potato races and track meets.



Philosophically considered, I believe that the South is considerably more conservative than the run of the American commonwealth. The rural Southerner, in particular, when faced with newisms and Babbitt lore, is slow to nibble and slower to bite. Southern towns have their Kiwanis and hot shops and chain cafeterias to be sure, for cities and city ways are matters of approximate uniformity the world over. But the off-highway Southerner holds to his particular set of economic and social credos with steel-spiked persistency. It is highly probable that he believes that all root crops should be planted in the dark of the moon; that Tammany is taken seriously in New York; that cotton is the hub of agricultural prosperity; that God has decreed negroes and cotton fields inseparable; that a woman is mature at eighteen and middle-aged at twenty-eight; that early marriage is a racial and economic necessity, albeit spinstership is as common in the still back-country of Georgia as it is in the thunderous caverns of Manhattan.

Yet, considered behavioristically, the rural Southerner is an individualist. He is non-co-operative and non-fraternal. He plants his cotton and roofs his house and slaughters his pigs when the urge is upon him. He bears poverty, floods and boll weevil stoically. I firmly believe that Southerners, as a people, are the most emotional and impulsive of Americans. A son of capricious Dame Nature, one closely tethered to her maternal apron strings, the Southern countryman generally figures on doing what he wants to do, when he wants to, only so long as he wishes to do it. When his mind changes, it changes. Explanations are superfluous. He gets out of the notion and that is all.

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Beethoven: A Biography

(Continued from Page 307)

the evolution of the art. It was Beethoven's loftiest flight in lyric song.

True, in setting these lines, he was as iconoclastic toward poetic rhythms and the delicacies and subtleties of the fragile music of vowels and consonants, as musicians since the dawn of song have almost invariably been. Nor were his tones as expressive of the sense of the argument as those of many later song writers. Perhaps he felt that a good poem needs no musical bush; whereas, if the poem is bad, no composer can make it better. At any rate he did the natural thing for a great master of absolute music to do;—instead of setting the lines he tried to set what was between them.

But other composers before him had done this too. What made "To the Distant Beloved" a red-lettered milestone in the history of music was the fact of its being the first real song cycle. Here the Master continued his work as emancipator by freeing the song tribe from solitary confinement in individual cells.

During this dark period, 1816-17, Beethoven was plagued almost beyond endurance by the rapid approach of total deafness, by those questions of food and shelter which were always to him more recondite than triple counterpoint, concealed subjects, or reversible canons;—and by the truly damnable business of getting young Karl away from his mother, "The Queen of the Night."

This is the fashion in which, on the margins of his "Sketch Books," *Le Grand Sourd* communed with himself.

1816

Submission—submission! Thus may we win something even in the deepest misery, and make ourselves worthy to have God forgive our shortcomings.

Fate, show your force! We are not lords over ourselves. What is determined must be, and so let it be!

He who is burdened with an ill which he cannot alter, which is bringing him closer and closer to death and without which his life would have lasted longer, must remember that he might have been killed even sooner by assassination or other causes.

Live in your art alone. Limited as you now are by your hearing, this is the only existence for you.

Follow the counsel of others only in the rarest instances. In a matter that has already been considered, to whom can all the circumstances be as clear in consciousness as to oneself!

Just as the State must have a constitution, so must the individual have one of his own.

1817

Peace and freedom are the best of all things. True friendship can be founded only on the union of similar natures.

This summer one of his friends, a poet named Kuffner, came to live near him in Heiligenstadt. The two often went together to Nussdorf for fish suppers, either to the sign of The Rose, or nearer the source of supplies. In a "Conversation Book" a year before the Master's death we find in Kuffner's handwriting: "Do you remember the fisherman's house in Nussdorf, where we sat till midnight on the terrace under the full moon, before us the rushing brook and the swollen Danube? I was your guest."

During one of these suppers, the poet seized his opportunity when the Master was feeling at peace with the world to ask:

Kuffner:—Tell me frankly, which is your favorite among your symphonies?

Beethoven:—(In great good humor.) Eh! Eh! The *Eroica*.

Kuffner:—I should have guessed the C minor.

Beethoven:—No; the *Eroica*.

On August 21, 1817, just as his hearing was at times near the vanishing point, the Master mailed this bitter cry to the sick Zmeskall: "I am often in despair and would like to end my life. . . God have mercy on me, I regard myself as good as lost. . . . If the condition does not change I shall next year be not in London but in the grave.—Thank God the rôle will soon be played out.—"

The reference to London meant that the Philharmonic Society had renewed its offer of 300 guineas if Beethoven would come across the Channel with two new symphonies. And he had accepted. If carried out, this plan might have solved his financial problems for the rest of his life. But as he seldom did first class work to order, the result might possibly have been a repetition of the disgraceful "Battle" symphony episode.

The event did honor to his artistic conscience. While his English friends impatiently awaited the promised works, he let the sketches of the D minor symphony lie in his desk while he sent this word to Czerny: "Just now I am writing at a sonata which shall be my greatest."

It was the one in B flat[1], known as the "Hammerklavier." This enormous work occupied him, off and on, until March, 1819. It is as long as a symphony, as brilliant and difficult as a concerto. It makes more strenuous demands upon the instrument, the performer and the listener than any other composition of the Master.

To clothe these gigantic limbs in such inadequate vesture as piano makers carry in stock is to attempt forcing Samson into rompers. This is ideal music, but "not for the sensual ear," and fit only for a Brobdingnagian keyboard. It seems to ask of the interpreter more than is possible for human nerve and sinew, brain and emotion to supply. Among the scores of times the writer has heard the "Hammerklavier" sonata played, he can recall but one performance which came within appreciable distance of adequacy. And that took place among the favoring conditions of a Beethoven festival at Bonn.

But even if some yet undreamed-of super-virtuoso were to give a perfect reading of this work upon the most superb instrument of a Twenty-first Century Steinway, and our spirits responded eagerly to the privilege, the flesh would still be weak.

We can savor to the full the heroic strength and noble tenderness of the opening movement. We can enjoy the Puckish fantasy and Ariel-like winsomeness, the "nods and becks and wreathed," — but somewhat wistful "smiles" of the second movement; and are seized anew with the conviction that we are hearing the most luscious of Beethoven's piano *scherzos*.

Reverently we enter into the etherealy poignant tragedy of the *adagio sostenuto*. The Master's just quoted remark to Zmeskall recurs to us: "God have mercy on me, I regard myself as good as lost." Von Bülow has set a true word beneath the last page of this *adagio*: "The pain that tears the heart no longer has the word here, but—as it were—tearless resignation rigid as death."

In this superhuman passage of the "Hammerklavier" Beethoven triumphantly stands the test of the supreme artist—even in death we are in beauty. This corruption is swathed in the incorruption of loveliness.

But we have gone too fast. For, only half way through the immensity of the movement, something happens. We have been too long under an intense strain. Exhausted nature balks and begins to falsify beauty, just as it falsifies the miracle of sunset playing on the clouds that half fill the Grand Canyon, as observed after fourteen hours in the saddle. Though the movement is in strict form and every note has its unimpeachable reason for being, the

1. Op. 106.

(Please Turn to Page 320)

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YOUNG Children cared for. Berkshire foothills. 9144 Outlook and Independent.

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NEW ENGLAND young woman wishes to travel as companion. Adaptable, cheerful, educated, painting and architecture special interest. References. 9145 Outlook and Independent.

Miscellaneous

TO YOUNG women desiring training in the care of obstetrical patients a nine months nurses' aid course is offered by the Lying In Hospital, 307 Second Ave., New York. Aids are provided with maintenance and given a monthly allowance of $10. For further particulars address Directress of Nurses.

HOME, Protestant, wanted for two good-looking, affectionate, orphaned brothers, aged 5 and 6. 9132 Outlook and Independent.

Stationery

WRITE for free samples of embossed at $2 or printed stationery at $1.50 per box. Lewis, stationer, Troy, N. Y.

Beethoven: A Biography

(Continued from Page 318)

listener is so weary by the time he reaches the middle that, from there on, much of the music sounds to him as though Beethoven, plunged into the depths of an amorphous day-dream, had remained too long submerged.

Then comes a titanic three-voiced fugue with a subject ten bars long. It involves the greatest effort Beethoven ever demanded of the listener to his sonatas. It is terribly stark, furiously bleak music. Mr. Sullivan calls it "the expression of the final refusal of annihilation, even if no hope and no object be left in life."[1]

By this time the listener is too spent to appreciate much more than the immensity of the subject, the mastery with which the poet hides the scholar in its manipulation, the heavenly relief of the singing D major episode *sempre dolce e cantabile* following a terrific climax and after one of the most dramatic measure's pause in all music.

As the monster fugue rages on and on, apparently intent on shattering to bits not only the piano and the struggling virtuoso, but the form of the sonata itself, the weary listener finds himself feebly resenting this brutal whirlwind, coming, as it does, after the ineffable poetic dream of the *adagio.* But on the way home he asks himself what could have provided a more convincing close to this mighty work. Another piece in sonata form? Variations? A *rondo?* No! A thousand times no! And he is driven to the conclusion that the Master was right as usual. Nothing besides a fugue, a ruthless hurricane of a fugue, could have said a fitting last word to such an *allegro,* such a *scherzo* and such an *adagio.*[2]

During this life one does not expect to see the day when the "Hammerklavier" shall be adequately performed, on an adequate instrument, to adequate listeners. But if there be a next world, and if the report of its being a musical one be true, one hopes to hear the composer of this work, purged long since of Hydean dross, play it upon an instrument as far removed from the piano as the piano is now removed from its ancestor, the primitive harp of David.

1. "Beethoven: His Spiritual Development," p. 209.
2. This work might perhaps be played like "Parsifal," with long intermissions for recuperation and an interval after the *scherzo* for dinner!

(To Be Continued)

In Next Week's Issue

Government by Banker

By HENRY KITTREDGE NORTON

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